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UNITED STATES AND VIETNAMESE GOV-
ERNMENT KNOWLEDGE AND ACCOUNT-
ABILITY FOR U.S. POW/MIA's

HEARING

BEFORE THE

MILITARY PERSONNEL SUBCOMMITTEE

OF THE

COMMITTEE ON NATIONAL SECURITY
HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

HEARING HELD
NOVEMBER 14, 1995



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UNITED STATES AND VIETNAMESE GOVERNMENT KNOWLEDGE AND ACCOUNTABILITY FOR U.S. POW/MIA's

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATIONAL SECURITY,
MILITARY PERSONNEL SUBCOMMITTEE,
Washington, DC, Tuesday, November 14, 1995.

The subcommittee met, pursuant to notice, at 10:11 a.m., in room 2118, Rayburn House Office Building, Hon. Robert K. Dornan (chairman of the subcommittee) presiding.

OPENING STATEMENT OF HON. ROBERT K. DORNAN, A REPRESENTATIVE FROM CALIFORNIA, CHAIRMAN, MILITARY PERSONNEL SUBCOMMITTEE

Mr. DORNAN. The Subcommittee on Military Personnel will come to order.

The chairman of this subcommittee has military heroes on his mind. Yesterday, in the rain, I drove up to Carlisle, PA, and went to Westminster Memorial Cemetery to visit the grave of one of America's two last recipients of the Medal of Honor, Randall Shughart. I talked to his mother in the morning; his father was out hunting. His grave is a flat gravestone with the Medal of Honor etched into it, the Delta Force emblem etched there, and also with a Ranger patch etched there. He was born August 13, 1958; he was 35 years of age when he died in the streets of Mogadishu, giving his life to try and save Michael Durant, which he did, and Michael Durant's copilot and two gunners, which he did not. He gave his life trying to save all four of them, together with Gary Gordon.

On November 4, I went up to Maine for a Presidential forum and drove an hour north of Bangor to a small typical little American mill town, Lincoln, ME, and visited the grave of Gary Gordon. Gary Gordon was a master sergeant, 2 years younger than 1st Sgt. Randall Shughart. Gary was the senior NCO, begging with Randy Shughart to be taken down to the ground in their H-60 which was flying cover for the two shot-down helicopters on October 3, 1993.

When they got the four badly spine-injured men out of the helicopter, they went around to the front of the helicopter facing the building crowds, hundreds of people, and made their last stand. Both gave their lives so that at least Durant would live. A couple of the crewmen other than Durant were captured alive. We don't know their fate, but all of us who watched the evening news night after night saw the bodies of Durant's three murdered crewmen and the two Delta Force rescuers, the Medal of Honor recipients, being dragged through the streets.

Now, if they had gone missing in action, as two French fighter pilots are still missing in action in Bosnia since August 30, it would

be a sad state of affairs if we had not recovered their remains. It would be a sad state of affairs if Michael Durant hadn't survived and we had never known about the heroism of these men, begging the commanders back at the headquarters at Mogadishu Airport three times to be let down onto the ground.

Now, these two men, 35-year-old Randy Shughart and 33-year-old Gary Gordon, brought back memories to me of all of the cases I have read about of American heroes, Green Berets, Army, Navy, Air Force, special ops, the secret war in Laos, men in Cambodia lost in the last desperate years, Eugene DeBruin, pictured here, CIA, a young man highly motivated to serve his country, inspired by John F. Kennedy to engage in the chaos in Laos. And I am just not going to give up on the fate of these heroes.

I came again across the book of Frank Elkins, a Navy officer. "The Heart of a Man" is the name of the book. I read about a man who is just so outstanding in character, in love with his wife and loyal to her, proud to put on the Nation's uniform and serve under any difficult circumstances. "Difficult circumstances," that is what it says around the base of the flag at the Vietnam Memorial, the flag that we had to force onto that memorial site that is now pretty hallowed ground.

So I am going to read my statement here. Driving back, my son was driving through the rain last night, and I read all of my colleague and dear friend Senator Bob Smith's remarks on the Senate floor on October 31. He used the word "outrage" many, many times about the course that this so-called fullest possible accounting is taking. And I agree with Senator Bob Smith that some pretty decent people over in the Pentagon have gone wrong under this current leadership, starting at the top with someone who refused to wear his Nation's uniform, not once but three times, and that they are in violation of the law.

This Congress on the Senate side has demanded a comprehensive review. And on this side, this chairman, Bob Dornan, is demanding the comprehensive review. We want it. We are going to get it. We are going to get it, General Wold, if we have to subpoena every person in the Pentagon. I demand the comprehensive review. Don't give me this crap that you are respecting the privacy of the families. The families beg for congressional oversight. We will get that so-called scrub. We will get that review, because we know the murderous Communist thugs who are getting their boots licked regularly by diplomats over in Hanoi, we know that these Communist killers have information on hundreds of our heroes. And we are going to get it.

This is the second in a series of hearings that I have called as chairman of this Personnel Subcommittee to oversee this fullest possible accounting of American heroes lost or left behind in all of Southeast Asia. For more than 30 years, since my best friend in the Air Force, Capt. David Hrdlicka, was captured in Laos May 18, 1965—30½ years—I have maintained an active vigil alongside the families and comrades of the missing who seek little more than an honest accounting by their Government.

It is an outrage that on July 12, 1995, President Clinton normalized diplomatic relations with Communist Vietnam based on advice from Defense and State Departments and the National Security

Council, even CINCPAC getting involved in politics—the commander of our force in Pacific has no right to offer opinions to a group of liberal Democrat Senators traveling to Hanoi without a Republican on the delegation, has no right to offer advice that it is time to normalize relations with the Communist thugs who won in Southeast Asia. Amazing things happening here. Leakage of top-secret documents to the United Nations by people in the Clinton administration; it is amazing what is going on.

Now, to have people from State, Defense, and the National Security Council saying that the Vietnamese have made superb cooperation and have done everything they could do to provide answers on the fate of our missing men, to give this advice is outrageous when we know that the records in the Central Committee in the Politburo have never been turned over to us. However, we have found that the Clinton administration knew that the Vietnamese and the Laotian Communist governments were withholding the remains or knowledge of the fate of hundreds of MIA's. This is a cynical—and here comes the word that Senator Smith has used—cover-up. And that is a tough charge, and now I am using it, and I believe it. And it continues today.

The National Security Council and the Pentagon are demonstrating—and these are also tough words—contempt for the law—contempt for the law, the families of the missing and the American people by refusing to hand over to the Congress this important body of work, the so-called scrub, the comprehensive review, which is a case-by-case assessment by Defense analysts of every American MIA in Southeast Asia. And these hard-working analysts are now called nonessential personnel. That is offensive.

In addition, in a cynical attempt to circumvent the hearing, the Pentagon deemed as “unessential personnel” those analysts who compiled the comprehensive review and forbade them from testifying today. For that reason, I am asking Chairman Floyd Spence to convene the National Security Committee to authorize a subpoena for those analysts to testify before this subcommittee before the late December trip to Vietnam by more Clinton administration personnel. In addition, I will subpoena the original and complete analysts' case-by-case assessment.

Rather than honesty and openness to resolve the POW-MIA tragedy, the administration is playing a devious body count charade by issuing a 10-page public relations summary of the comprehensive review and press releases that we believe manipulate statistics. The administration is hiding behind the excuse of “protecting the families” right to privacy. This obscures two very important facts:

One, the Congress is part of the Government and has a right by law to study the full report. If somebody was uptight about sources, I am in my seventh year on the Intelligence Committee, there is a room up in the dome of the Capitol, “the attic” it is called, 405, the old Atomic Energy Commission room. It is a secure room, as secure a room as any room in the capital city, and they could bring anything they want up there to show it to me. Nobody has even suggested that. No reason it can't be done in this room in open session.

Number two, hundreds of families are begging for congressional oversight of a seriously flawed accountability process.

The most egregious and painful injustice in this ongoing cover-up is that records that I have recently studied show that the United States Government has known for many years that the Vietnamese have withheld volumes of documents, hundreds of warehoused remains—and haven't we all come to loath that word, now that it is being manipulated, if not dumped completely, "warehousing," "warehoused remains"—and the knowledge on the fate of more than 1,000 brave men that were either last known alive in captivity or suspected of having survived the initial incident that caused their disappearance in either Vietnam, Laos, or Cambodia. That figure may be high, but then let's have the comprehensive review and see how many hundreds it is. In fact, between 1987 and 1994, Government analysts' official estimate was between 255 and 600 bodies warehoused by the Vietnamese and cases where the Vietnamese could immediately, unilaterally resolve these tragic cases. Since 1979, in this room, I was sitting way down there as a junior member of the, excuse me, it was at the twin room on the opposite end of the building, the Foreign Affairs room, 2178, that the mortician, ethnic Chinese, Vietnamese citizen mortician told us in Lester Wolf's subcommittee, Asian and Pacific Affairs, he had personally prepared for warehousing over 400 remains. That was 16 years ago.

Now since we have had normalization by the trade embargo lifted, only a few cases have been accounted for. Now we have group burials based on a handful of bone chips, without a single bone chip identified with a person, not by DNA, not by any method. This was always a promise that we would not do this. This policy is changed. It has been protested by many of the families, especially in those cases where there is intelligence that one of the crew survived and that others were maybe seen on the trail, captured, bound together, that they survived in the initial incident, some of them burned, or wounded.

Before this subcommittee on June 28, Pentagon analysts, Gen. James Wold, honorable combat veteran, and a State Department spokesman, all admitted the Vietnamese Government continues to withhold volumes of valuable records related to POW/MIA's in Vietnam, Laos, and Cambodia. These include the important records of the aforementioned Vietnamese Politburo and Central Committee records, as well as thousands of pages of original documents that went into the condensed and hastily prepared "559 Document" that lists the shootdowns of American aircrafts in Laos by Vietnamese forces. This document provides little information on American Special Forces, men like Sergeants Shughart and Gordon, and the intelligence personnel captured on the ground in Laos. In addition, original records of the mortuary section of the Military Law Division of the Ministry of Defense, the main organization for collecting, recording data, processing, and warehousing American bodily remains, has yet to be provided by the Vietnamese Government.

In 1991, a high-level State and Defense Department delegation representing the Bush administration handed the Vietnamese Government a list of 17 priority cases that could be quickly and unilat-

erally resolved in Hanoi. However, as of today, 4 years after that list was provided, only one of those cases has been accounted for.

It reminds me of 1979 when I went over with a delegation led by Lester Wolf; we presented four key cases: Donald Sparks from the South, which was tough, and three from the North, the most obvious being Ron Dodge, who I had helped get on the cover of Life magazine. Within months they returned the three cases that were from the North; they returned the remains for funerals at Arlington and other small cemeteries across the Nation like the ones I have visited in the last 8 days. Incredible that they could go into a warehouse and take three out of the four folders that I pushed across the table at them in Hanoi. Three, and then the figure of missing was way over 2,500. They went and got those three to see if that would quiet us down. Incredible that this game still goes on.

Why hasn't this administration demanded that the Vietnamese immediately resolve these and hundreds of other discrepancy cases, including those where Americans were photographed alive or dead in Vietnamese custody?

Since the Clinton administration lifted the trade embargo, not more than five MIA cases from North Vietnam have been resolved. This is a far cry from the fullest possible cooperation that Clinton promised the American people as his precondition for normalized relations. The POW/MIA tragedy will not be resolved until there is openness and honesty, not just by the Vietnamese Government but by both Governments. Our missing heroes and their families deserve the highest ethical and moral standards. All of the potential crude oil in the Gulf of Tonkin, all of the trade between nations, is not worth one drop of the blood of an American hero. The ongoing coverup actions by the Pentagon and the Clinton administration cannot and must not be tolerated.

There are things that the Government rarely, out of sympathy to families, and depending on how much the families want to know about the last moments or days of their heroes, there are things that maybe, in the judgment of some people, are better left unsaid. As I stood at the foot of Gary Gordon's grave up in Lincoln, ME, and stood yesterday in the rain at the foot of Randy Shughart's grave, I know what is down in those coffins. Because after we all watched their bodies dragged through the streets of Mogadishu and desecrated, it didn't end there. Desecration went on for hours. I know what a tragedy it is for those two families and those two handsome young heroes.

I pulled into a gas station on the way back. What are the odds for this? I have never seen this magazine in my life, Yankee. It is a new issue, November 1995. It is from New England, and it is in an Exxon gas station in Maryland. I see it on the table, and I see at the top, "A Fallen Hero Comes Home to Maine." I said, What is that? Remains of an MIA case? It couldn't be that I had stumbled across a magazine in Maryland on a hero from Maine just 9 days after visiting his grave. And I opened it up, and there it is, a mother clutching the picture of her young hero, 33-year-old Master Sergeant Delta Force Commando Gary Gordon. And here is a picture of Michael Durant kneeling at his grave with the Medal of Honor engraved in the stone, the Delta Force Medal emblem actually impressed in the marble, in his Green Beret, emblems from the

American Legion, Veterans of Foreign Wars, little eagle there, and it says, "May you soar on wings of eagles."

When I was up there, I drove by McDonald's, looking for the grave, pulled up to the little window, and a young lady comes to the window. We order a cup of coffee for me and my son, Mark, and I said, "You wouldn't happen to know where Gary Gordon's grave is, your young Medal of Honor-winning hero?" She said, "I would. I sang at his funeral." I said, "What? What is your name?" "Michelle Arthurs." "What did you sing, Michelle?"

What do you think she sang? "On Eagles Wings."

Well, that is what this committee is going to do. We are going to try and bring some more of these remains home on eagles' wings. And I am not going to rest while we go over there, like a war criminal, Robert McNamara—is he on his way back yet? I don't know. In a conversation with General Jopp, this blithering fool, this war criminal, Robert McNamara, who should be brought up on wrongful death charges, asked about the Tonkin Gulf incident; and then announces to the world through Associated Press, I accept his word, we have learned now from General Jopp, the war criminal who used 13- and 12-year-old children as line soldiers, the man who ordered the massacre of 3,000 to 5,000 people with their hands tied behind their back on the Perfume River, this war criminal, General Jopp, he has got my head straightened out.

And so all the families across this country, particularly the families of missing men who still have not had this agony resolved, they look at this fool, this jackass, McNamara, who is sitting in front of the huge bust of another war criminal, Ho Chi Minh—my God, when is this thing going to end—to sell lousy books. McNamara wants to set up seminars to assuage his conscience that we are going to find out what caused all of this agony in Southeast Asia, where, what were we doing? Fighting for freedom, just as we fought for twice in this century in France and hundreds of countries in between and the way we are considering putting young men and now women in harm's way in Bosnia.

Well, we are going to try and keep pressing this every 2 or 3 months, but I am not waiting months to get that comprehensive review, General. I want that fast, if I have to go over to the Pentagon myself and haunt the halls to get it.

[The prepared statement of Mr. Dornan follows:]

NATIONAL
SECURITY COMMITTEE
Chairman,
Personnel Subcommittee
Research and Development
Subcommittee

PERMANENT
SELECT COMMITTEE
ON INTELLIGENCE
Chairman,
Subcommittee on Technical
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Property Rights Coalition
Human Rights Caucus

OPENING REMARKS BY CONGRESSMAN ROBERT K. DORNAN
Chairman, Military Personnel Subcommittee
Hearing on U.S. and Vietnamese Government Accountability for POW/MIAs
November 14, 1995

This is the second in a series of hearings that I have called as Chairman of the House Military Personnel Subcommittee to oversee the fullest possible accounting of American heroes lost or left behind in Southeast Asia. For more than 30 years, since my best friend Air Force Captain David Hrdlicka was captured in Laos, I have maintained an active vigil alongside the families and comrades of the missing who seek little more than an honest accounting by their government.

It is an outrage that on July 12, 1995 President Clinton normalized diplomatic relations with Vietnam based on advice from the Defense and State Departments and the National Security Council that the Vietnamese had made "superb cooperation" and had done everything they could to provide answers on the fate of our missing men. However, we have found that the Clinton Administration knew that the Vietnamese and Laotian governments were withholding the remains or knowledge of the fate of hundreds of MIAs. This cynical cover-up continues today.

The National Security Council and the Pentagon are demonstrating contempt for the law, the families of the missing and the American people by refusing to hand over to the Congress the important body of the "Comprehensive Review" which is case by case assessment by Defense analysts of every American MIA in Southeast Asia. In addition, in a cynical attempt to circumvent this hearing, the Pentagon deemed as "unessential personnel" those analysts who compiled the Comprehensive Review and forbade them from testifying today. For that reason, I am asking Chairman Floyd Spence to convene the National Security Committee to authorize a subpoena for the analysts to testify before this subcommittee before the late December trip to Vietnam by the Clinton Administration. In addition, I will subpoena the original and complete analysts' case by case assessment.

Rather than honesty and openness to resolve the POW/MIA tragedy, the Administration is playing a devious "body count" charade by issuing a ten page public relations summary of the Comprehensive Review and press releases that manipulates statistics. The Administration is hiding behind the excuse of "protecting the families" right to privacy. This obscures two very important facts: 1) The Congress is a part of the Government and has a right by law to study the full report; 2) Hundreds of families are begging for Congressional oversight of a seriously flawed accountability process.

The most egregious and painful injustice in this ongoing cover-up is that records that I have recently studied show that the U.S. Government has known for many years that the Vietnamese have withheld volumes of documents, hundreds of warehoused remains and knowledge on the fate of more than 1,000 brave men that were either last known alive in captivity or suspected of having survived the initial incident that caused their disappearance in Vietnam, Laos and Cambodia. In fact, the analysts' between 1987 and 1994 government analysts' official estimated between 255 and 600 bodies warehoused by the Vietnamese and cases where the Vietnamese could immediately unilaterally resolve. Yet under the Clinton Administration only some cases have been accounted for, and many of those are group burials based on a handful of bone chips or even one tooth, which have been protested by many families, especially in those cases where there is intelligence that one or more of the crew were captured or survived the initial incident.

Before this Subcommittee on June 28, Pentagon analysts, General James Wold and a State Department spokesman admitted that the Vietnamese government continues to withhold volumes of valuable records related to POW/MIAs in Vietnam, Laos and Cambodia. These include the important records of the Vietnamese Politburo and Central Committee, as well as the thousands of pages of original documents that went into the condensed and hastily prepared "559 Document" that lists the shootdowns of American aircrafts in Laos by Vietnamese forces. This document provides little information on American Special Forces and intelligence personnel captured on the ground in Laos. In addition, original records of the mortuary section of the Military Law Division of the Ministry of Defense, the main organization for collecting, recording data, processing and warehousing American bodily remains has yet to be provided by the Vietnamese Government.

In 1991, a high level State and Defense Department delegation representing the Bush Administration handed the Vietnamese Government a list of 17 priority cases that could be quickly unilaterally resolved in Hanoi. However, as of today, four years after that list was provided, only one of those cases has been accounted for. Why hasn't the Administration demanded that the Vietnamese immediately resolve these and the hundreds of other discrepancy cases, including those where Americans were photographed alive or dead in Vietnamese custody?

Since the Clinton Administration lifted the trade embargo on Vietnam not more than five MIA cases from North Vietnam have been resolved. This is a far cry from the fullest possible cooperation that Bill Clinton promised the American people as his precondition for normalized relations. The POW/MIA tragedy will not be resolved until there is openness and honesty by both the U.S. and Vietnamese governments. Our missing heroes and their families deserve the highest ethical and moral standards. All of the crude oil in the Gulf of Tonkin is not worth one drop of the blood of an American hero. The ongoing cover-up actions by the Pentagon and the Clinton Administration cannot and must not be tolerated.

Mr. DORNAN. I would like to ask my ranking Democrat, Mr. Owen Pickett, if he has an opening statement.

STATEMENT OF HON. OWEN B. PICKETT, A REPRESENTATIVE FROM VIRGINIA, RANKING MINORITY MEMBER, MILITARY PERSONNEL SUBCOMMITTEE

Mr. PICKETT. Thank you, Mr. Chairman. I want to welcome our witnesses today. We have four panels and a number of witnesses to testify, so I am going to make my remarks brief in deference to giving our witnesses as much time as they require before the day is concluded.

As was the case in the June hearing before this subcommittee, the immediate issue before us is an examination of the process now used by the U.S. Government to account for persons missing as a result of U.S. military operations in Southeast Asia. Oversight of this process, of course, is a very important function of this subcommittee. The testimony that the subcommittee received in the first round of hearings tended to confirm what I had heard from the active-duty U.S. military members now responsible for the accounting process that they are very sincere and very dedicated in their efforts to take advantage of all available resources to locate the remains of missing U.S. personnel.

Consistent with the briefings from United States military members in Vietnam who are conducting the joint task force activities for full accounting, the November 13 report by the Department of Defense does find that the Vietnamese Government is now cooperating with the joint task force in their effort to locate the missing military members.

Mr. Chairman, I look forward to receiving the testimony of our witnesses today, particularly as it relates to the question of the process being followed by the Department of Defense in its efforts and attempts to locate and identify the missing Americans. More than 2,200 Americans still remain unaccounted for in Southeast Asia. We know that better cooperation from the Vietnamese could improve and shorten the time required to get a full accounting of these Americans.

Finally, Mr. Chairman, I want to personally welcome Mrs. Ginger Davis, the wife of Col. Charles Davis, who will be one of our witnesses here today. Colonel Davis was aboard the AC-130 gunship shot down over Laos in 1970. Mrs. Davis, along with the families of the other crew members of this AC-130, have tried to use their own resources to pay for forensic tests to be performed on the remains of those who died in this crash. There have been some difficulties in their being allowed to do this, and I look forward to her testimony today and that of our other witnesses.

Thank you, Mr. Chairman.

Mr. DORNAN. Thank you, Mr. Pickett.

I am honored also to welcome to the subcommittee Representative Sam Johnson of Dallas, TX; and we will get to him in a second if he has an opening statement. Do any of my other subcommittee members have an opening statement? All right. Sam, you don't have one?

Mr. JOHNSON. No, Mr. Chairman.

Mr. DORNAN. We are honored, obviously, to have you here with us, Sam.

The first panel is truly a panel of experts, people who have lived with this issue for more than a quarter of a century, for 30 years or more in some cases. Richard Childress, former adviser to President Reagan on POW/MIA matters, was with the first team that went into Vietnam years ago, speaks the language and has tracked this for all of his adult life.

By the way, today, November 14, is the anniversary of 43-year-old President John F. Kennedy extending from 1,000 to 16,000 the number of Americans to serve in Vietnam. Today was the day it really began beyond an advisory capacity, 16,000 of our Nation's best trained people, including Green Berets, making up the major part of that contingent, began to saddle up and head in the name of freedom and liberty to Southeast Asia.

Carl Ford, our second panel witness, is former Deputy Secretary of Defense for International Security Affairs. Always good to have him back on the Hill testifying. And my friend for over a quarter of a century, knew her parents first—they are both in heaven now—parents of a Navy officer, Ann Mills Griffiths, sister, loyal sister of a Navy officer, executive director, the National League of POW/MIA Families. Talk about corporate memory. Nobody has a better memory or data base on these tragic cases than the League of Families.

Would you please, if you choose, read your statements, shorten them, submit them in full length for the record? And let me ask you please to stand. This is at your request, and I know, Ann, you always take great pride in this; and it establishes a pattern for a whole day of hearings for me. Would you please all stand so I can give you the witness oath?

It is my intention to swear all witnesses at today's hearing, and I ask that the witnesses on this panel please start off.

[Witnesses sworn.]

Mr. DORNAN. Please be seated. Mr. Childress, if you want to begin, please, Richard, your statement.

STATEMENT OF RICHARD T. CHILDRESS, FORMER DIRECTOR OF ASIAN AFFAIRS, NATIONAL SECURITY COUNCIL 1981-89

Mr. CHILDRESS. Mr. Chairman, other distinguished members of the subcommittee, thank you again for this opportunity to testify on this important subject.

The subject of the hearing, knowledgeability of the Government of the Socialist Republic of Vietnam, is critical to enhance both the public's understanding of why this issue remains one of concern, but is also needed to inform the administration of the continued concern and should be used as a baseline to spur serious negotiations for unilateral Vietnamese actions to return the remains of Americans still under their unilateral control, to further open their archival data to United States negotiators and technical personnel, and to resolve the compelling cases of those men last known alive.

The U.S. data base on this issue is more extensive than on any other issue for which I had responsibility in my position with the National Security Council. To this day, it clearly and unequivocally demonstrates that the Vietnamese can resolve hundreds of cases

through the unilateral return of remains and by opening their relevant archives.

Wartime reporting and initial incident data alone confirmed this judgment, but now the basis has been supplemented by additional information collected through the increased intelligence collection priorities of the 1980's, admissions by Vietnamese officials in high-level negotiations, third-country reporting, forensic evidence from the analysis of remains returned to the United States, the compelling testimony of the mortician who processed many of these remains, and evidence from field investigations that remains had been previously recovered from crash and burial sites by Vietnamese officials.

Much of this information was analyzed thoroughly in a special national intelligence estimate conducted by the Reagan administration in 1986-87. Subsequent analyses were conducted by the Joint Casualty Resolution Center [JCRC] and the Defense Intelligence Agency into the 1990's. All of these estimates concluded that Vietnam could resolve hundreds of cases through the unilateral return of remains and even more through open cooperation, including provision of key documents and records.

These assessments have also confirmed that the Vietnamese went to extraordinary lengths to keep track of American personnel, alive and dead, who came under their control in Vietnam, Laos, and Cambodia. Their system extended from local to national levels and included reports, photographs, identification media, such as dog tags, ID cards, Geneva Convention cards, blood chits, personal weapons, and artifacts. Dead Americans were catalogued, photographed, buried, exhumed, and their remains stored; others were buried and their grave site locations reported to higher echelons. Vietnamese Government recovery of remains has been verified from wartime through the mid-1980's.

The Clinton administration has now completed another study. This one is reportedly a microanalysis of each case to determine the likelihood of accountability. Hopefully, this assessment will also categorize cases as to the most effective method of resolution by unilateral United States or Vietnamese action or by joint field activities.

More likely, it will contain categories that defer action and, thus, defer serious negotiations on many cases. Such an analysis will likely yield a smaller number than previous macrostudies given the criteria on which such case-by-case assessments are based. Whatever the number, it will once again establish that Vietnam could do more unilaterally, and the administration owes it to the families to develop a strategy to motivate Vietnamese action on such cases.

The results of this cannot be allowed to obfuscate or downplay likely accountability on additional cases. The United States has received remains and achieved accountability on cases in which the U.S. data base yielded absolutely no information. Clearly, the Vietnamese data base is more extensive than our own. Further, through negotiations, the United States has achieved remains repatriations from Vietnam on cases as far removed from Hanoi as the Ho Chi Minh Trail and Cambodia, as well as remote areas of both North and South Vietnam.

Administration officials have been heard to say they "don't wish to raise the goal posts." This reflects the clear fact that they either don't know past negotiations or choose to ignore them.

Since the beginning of negotiations in the Reagan administration, the Vietnamese have been furnished evidence that they could account for hundreds of Americans. Further, they admitted such to me personally in the mid-1980's, and I developed code words with them for the unilateral repatriation of remains which was the "most accessible cases in the Hanoi-Haiphong area." Incredibly, a recent book, written by a DOD official, defined this as crash sites near Hanoi or Haiphong. It is little wonder that unilateral Vietnamese repatriations of remains have halted.

Far from raising the goal posts, the administration has torn them down as if the game were over. Unfortunately, the facts get in the way and cannot be ignored. Even the Vietnamese are concerned and have indicated they would welcome a plan from the United States, based upon the Defense Department's review, that outlines steps which should be taken unilaterally and jointly to resolve the issue.

My fear, Mr. Chairman, is if they use the document that has been recently released, it is a minimalist document, and it will be the first time in the history of this Republic we have gone into negotiations with a minimalist position. It will mislead the Vietnamese. It will also potentially write off cases that the Vietnamese know about that are not in our data base.

Mr. DORNAN. Mr. Childress, what was the name of that book? Do you have there what you just referred to written by a DOD official?

Mr. CHILDRESS. It was written by Dr. Lou Stern, Department of Defense, and it was, I think, patterns of Vietnamese negotiations on this issue. It was just released, I think, last month.

Mr. DORNAN. Please continue.

Mr. CHILDRESS. Since the Clinton administration lifted the embargo and announced normalization of diplomatic relations, there is no policy reason that stands in the way of honest dialog with senior Vietnamese officials.

When the Reagan administration assumed office in 1981, unilateral repatriation of remains had stopped for over 3 years. We viewed that as a failure and began serious negotiations. Hanoi began repatriations again in 1981, and they continued sporadically, but in relatively large numbers, until the early 1990's. I have included in my testimony a chart that shows the pattern between returns of remains and major political events.

Vietnam stopped unilateral repatriations again at the end of the Bush administration, and there have been none—none—from the Vietnamese Government for over 3 years. But rather than viewing this as a failure, some administration officials have the nerve to point to it as a success, that it somehow means no more remains are available. Such Orwellian assertions are sickening to those who know better, both in and out of this administration. Had the Reagan administration followed such distorted logic in 1981, over 160 American families would not have answers today. And that number is the number of remains that were returned unilaterally by Vietnam that showed evidence of storage forensically.

It is clearly time for senior officials in State, Defense, and the NSC to develop a credible plan in Washington to resolve this issue through serious, high-level negotiations. If they do so, we should all unite in support of the effort.

Mr. Chairman, I believe they are doing a disservice both to the families, our Government, and even the Vietnamese Government, because this will not go away. No matter who the next President is, it is going to stay. And it should stay at the top of our agenda.

Thank you, sir.

[The prepared statement of Mr. Childress follows:]

Testimony of Richard T. Childress
Former Director of Asian Affairs
National Security Council (1981-1989)
November 14, 1995
Subcommittee on Military Personnel
Committee on National Security
U.S. House of Representatives

Mr. Chairman, other distinguished Members of the Subcommittee, thank you for this opportunity to once again testify on the important subject of those soldiers and civilians who still remain missing and unaccounted for from the Vietnam War.

The subject of this hearing, knowledgeability of the Government of the Socialist Republic of Vietnam, is critical to enhance the public's understanding of why this issue remains one of concern. It is also needed to inform the administration of the continued concern and should be used as a baseline to spur serious negotiations for unilateral Vietnamese actions to return remains of Americans still under their unilateral control, to further open their archival data to U.S. negotiators and technical personnel and to resolve the compelling cases of those last known alive under control of Vietnamese forces.

Those of us who were responsible for this issue in various capacities since the end of the war are very familiar with today's subject, and that knowledge informed and guided our negotiations. Such is not occurring today. This hearing comes at a critical time in our national effort and, hopefully, the Subcommittee's focus will motivate the current administration to address this tragedy in a more forthright manner. Failure to do so is a grave disservice to the families of our missing, my fellow veterans of the Vietnam War, current and future personnel who serve and will serve our nation, and the Vietnamese authorities as well. This situation is cancerous to the American spirit, and it can only be resolved on a government-to-government basis. Unfortunately, accountability through unilateral action by Vietnam has been at a virtual halt for over three years, and the cases of greatest concern can never be resolved through joint field operations.

The U.S. database on this issue is more extensive than on almost any other issue for which I had responsibility in my position with the National Security Council. To this day, it clearly and unequivocally demonstrates that the Vietnamese can resolve hundreds of cases through the unilateral return of remains and by opening their relevant archives to us.

Wartime reporting and initial incident data alone confirmed this judgment, but now the bases for such a judgment is much more extensive. The wartime data, which included all-source intelligence reporting, Vietnamese media broadcasts and U.S. eyewitnesses, has been supplemented by additional information collected through the increased intelligence collection priorities of the 1980s, admissions by Vietnamese officials in high-level negotiations, third country reporting, forensic evidence from the analysis of remains returned to the United States, the compelling testimony of the mortician who processed many of those remains, and evidence from field investigations that remains had been previously recovered from crash and burial sites by Vietnamese officials.

Much of this information was analyzed thoroughly in a Special National Intelligence Estimate (SNIE) conducted by the Reagan Administration in 1986-87. Subsequent analyses were conducted by the Joint Casualty Resolution Center (JCRC) and the Defense Intelligence Agency (DIA) into the 1990s. All of these estimates concluded that Vietnam could resolve hundreds of cases through the unilateral return of remains and even more through open cooperation, including the provision of key documents and records.

The assessments have also confirmed that the Vietnamese went to extraordinary lengths to keep track of American personnel, alive and dead, who came under their control in Vietnam, Laos and Cambodia. Their system extended from local to national levels and included reports, photographs, identification media, such as dog tags, ID cards, Geneva Convention cards, blood chits, personal weapons and artifacts. Dead Americans were catalogued, photographed, buried, exhumed and their remains stored; others were buried and their grave sites locations reported to higher echelons. Vietnamese government recovery of remains has been verified from wartime through the mid-1980s.

The most compelling cases are those with major discrepancies between confirmed U.S. information, such as those Americans last known alive in Vietnamese custody, near Vietnamese forces, known to have died in captivity and others on whom Vietnam has further information. In addition to complete lists of Americans missing or unaccounted for, various other selected lists have been provided over the years to the Vietnamese for priority attention in negotiations. While some accountability has been achieved in all categories, for most of the compelling cases -- the easiest for Vietnam to resolve unilaterally -- Hanoi has not provided answers.

The Clinton Administration has now completed another study. This one is a micro-analysis of each case to determine the likelihood of accountability. Hopefully, this assessment will also categorize cases as to the most effective method of resolution -- by unilateral U.S. or Vietnamese action or by joint field activities.

More likely, it will contain categories that defer action and, thus, defer serious negotiations on many cases. Such an analysis will likely yield a smaller number than previous macro-studies given the criteria on which such case-by-case assessments are based. Whatever the number, it will once again establish that Vietnam can do more unilaterally and the administration owes it to the families to develop a strategy to motivate Vietnamese action on such cases.

The results of this case-by-case review cannot be allowed to obfuscate or downplay likely accountability on additional cases. The U.S. has received remains and achieved accountability on cases in which the U.S. database yielded absolutely no information. Clearly, the Vietnamese database is more extensive than our own. Further, through negotiations, the U.S. has achieved remains repatriations from Vietnam on cases as far removed from Hanoi as the Ho Chi Minh Trail and Cambodia, as well as remote areas of both north and south Vietnam.

The sad and perplexing fact today is that the Clinton Administration, despite the rhetoric, is not negotiating for unilateral Vietnamese action. The uniformly positive praise for Vietnam is based upon joint field activities measured by the number of investigations or excavations and partial divulging of archival information. The core cases cannot, nor ever will be, resolved in the field by joint activities.

I have heard various excuses as to why this policy is being pursued. The most frequently heard is that the Administration actually believed that lifting of the trade embargo and normalization of relations would motivate Vietnam to cooperate unilaterally. Since these two steps were not leveraged to obtain results, at best this is incredibly naive; at worst it was a craven act for other reasons and, remarkably, is the same conclusion reached by the Carter Administration and the Woodcock Commission in the late 1970s. It is not lost on close observers that the Clinton Administration has refused to declassify the past intelligence studies and have refused to release the analytic results of their current effort since last July.

Administration officials have also been heard to say they "don't wish to raise the goalposts." This reflects the clear fact that they either don't know past negotiations or choose to ignore them.

Since the beginning of negotiations in the Reagan Administration, the Vietnamese have been furnished evidence that they could account for hundreds of Americans. Further, they admitted such to me personally in the mid-1980s, and I developed codewords with them for the unilateral repatriation of remains which was the "most accessible cases in the Hanoi-Haiphong area."

Incredibly, a recent book, written by a DOD official, defined this as crash sites near Hanoi or Haiphong. It is little wonder that unilateral Vietnamese repatriations of remains have halted.

Far from raising the goal posts, the Administration has torn them down as if the game was over. Unfortunately, the facts get in the way and cannot be ignored. Even the Vietnamese are concerned and have indicated they would welcome a plan from the United States, based upon the Defense Department's review, that outlines steps which should be taken unilaterally and jointly to resolve this issue.

Without a serious redirection of the Administration's strategy, I see little hope of achieving the fullest possible accounting. They continue to reject reality, refuse to conduct serious negotiations and react defensively to the slightest criticism, private or public. What passes for priority today are public trips, led by the Department of Veterans Affairs instead of high level State and Defense officials, expansive joint field activities, ceremonies and town meetings with family members that usually include a psychologist.

Since the Clinton Administration lifted the embargo and announced normalization of diplomatic relations, there is no policy reason that stands in the way of honest dialogue with senior Vietnamese officials. Clearly, Hanoi's objective is economic development, while preserving political power. This plateau may be the last chance for this Administration to do something smart on the issue before 1996. I hope they take the opportunity now, or history will reflect a sad record matched only in the 1970s.

When the Reagan Administration assumed office in 1981, unilateral repatriation of remains had stopped for almost three years. We viewed that as a failure and began serious negotiations. Hanoi began repatriations again in 1981 and they continued, sporadically, but in relatively large numbers, until the early 1990s. I have included with my testimony a chart indicating key events in US-SRV relations along with patterns of accountability; it is very revealing.

Vietnam stopped unilateral repatriations again at the end of the Bush Administration, and there have been no unilateral remains returns by the Vietnamese government for over three years. But, rather than viewing this as a failure, some Administration officials have the nerve to point to it as a success, that it somehow means no more remains are available. Such Orwellian assertions are sickening to those who know better, both in and out of the administration. Had the Reagan Administration followed such distorted logic in 1981, over 160 American families would not have answers today.

It is clearly time for senior officials in State, Defense and the NSC to develop a credible plan in Washington to resolve this issue through serious, high-level negotiations. If they do so, we should all unite in support of the effort. A failure of this Administration to do so will require further Congressional oversight and action until they live up to their responsibilities to those who served this country or until a new administration inherits this potential cancer that history will record in vivid color as bureaucratic obfuscation and callousness.

Mr. Chairman, I look forward to your questions.

Patterns of Accountability

Insights can be gained through the analysis of remains repatriations from Vietnam in relation to various policy environments and specific events. The remains returned column indicates identified remains unilaterally returned by Vietnam and those recovered and identified from joint operations which began in 1988. The latter are shown in parenthesis. Prior to 1991, when Vietnam halted the repatriation of stored remains, almost 60% showed signs of previous storage.

1974-1975 Immediate Post-War Environment: Remains returned were associated with agreements reached in Paris before the fall of Saigon.

<u>Year</u>	<u>Remains Returned</u>	<u>Key Events</u>
1974	23	Died in captivity cases from Hanoi cemeteries.
1975	<u>3</u>	
	Total: 26	

1976-1978 Carter Normalization Talks: Normalization talks offering incentives in advance, with POW/MIA as a hoped for by-product in an atmosphere of official presumptive findings of death and reduced expectations based upon the House Select Committee and Woodcock Commission conclusions.

<u>Year</u>	<u>Remains Returned</u>	<u>Key Events</u>
1976	2	House Select Committee Report.
1977	33	Woodcock Commission early 1977; New York normalization talks.
1978	<u>11</u>	
	Total: 45	

1979-1980 Breakdown of Dialogue: Preceded by Vietnamese demands for reconstruction aid, invasion of Cambodia and alignment with USSR.

<u>Year</u>	<u>Remains Returned</u>	<u>Key Events</u>
1979	0	
1980	<u>0</u>	
	Total: 0	

1981-1984 First Reagan Administration: Reopens dialogue on POW/MIA as national priority on a humanitarian basis with resolution a necessary precondition to normalization talks.

<u>Year</u>	<u>Remains Returned</u>	<u>Key Events</u>
1981	3	
1982	4	First policy-level DOD mission, League of Families' trip to Vietnam/Laos.
1983	8	NSC/Politburo-level negotiations begin. Agreement to treat as humanitarian matter and understanding on stored remains.
1984	<u>6</u>	First full interagency delegation.

Total: 21

1985-1988 Second Reagan Administration: Continuity of policy and previous NSC/Politburo-level agreements reaffirmed in two-year plan negotiations, subsequent politicization of two-year plan by Hanoi leading to appointment of Presidential Emissary.

<u>Year</u>	<u>Remains Returned</u>	<u>Key Events</u>
1985	38	DIC remains from South included for first time.
1986	13	Hanoi inserts political linkage to 2-year plan, rejected by United States.
1987	8	NSC negotiations to secure agreement on Presidential Emissary, first Vessey trip in October.
1988	<u>63</u> (1)	Vietnam resumes unilateral return of remains in large numbers.

Total: 122

1989-1992 Bush Administration: Vessey efforts continue, in shadow of State focus on Cambodia and erosion of roadmap approach; POW/MIA efforts decentralized to CINCPAC and Senate Select Committee convenes.

<u>Year</u>	<u>Remains Returned</u>	<u>Key Events</u>
1989	37 (2)	Vessey reappointed.
1990	17 (2)	Secretary Baker meets Thach.
1991	4 (2)	Roadmap proposed; unilateral repatriation of remains halts; Thach leaves, Cam appointed, Senate Select Committee begins.
1992	<u>9</u> (8)	Vietnam again agrees to open archives.

Total: 67

1993-1994 Clinton Incentive Approach: Focus on joint operations with U.S. incentives in advance expecting Vietnamese reciprocity on POW/MIA.

<u>Year</u>	<u>Remains Returned</u>		<u>Key Events</u>
1993	24	(24)	IFI restrictions dropped, embargo restrictions eased.
1994	8	(8)	Embargo lifted, agreement reached to establish liaison offices.
To: 9/95	0	(0)	Full diplomatic relations announced, visit of Secretary of State Christopher, Vietnam joins ASEAN.
Total: 32			

NOTE: Understandable confusion exists in the media over numbers of remains being repatriated by Vietnam. Prior to the Clinton Administration, fragmentary remains which Vietnam began to provide in the mid-1980s were not publicly announced as American until after identification. The Clinton Administration policy led them to announce, when lifting the embargo, that 67 Americans had been accounted for in his administration, when the actual number was 7 and had only reached 27 by the end of 1994. Similarly, when announcing the establishment of diplomatic relations, the Clinton Administration included identifications from Laos, as well as remains recovered from Vietnam during prior administrations. This "numbers game" now reformulated twice in two years represents a change in criteria for measuring accountability and, in turn, changes in policy. This has led to greater Congressional scrutiny and further public skepticism. Patterns of remains storage in the 1980s not only indicate that Vietnam should be able to unilaterally repatriate identifiable remains, but may still hold fragmentary remains of Americans they are unable to correlate to specific cases. These fragments could also provide identifications whether turned over unilaterally or through joint operations.

The Defense Science Board has recently certified the mitochondrial DNA analytic process as credible for identification purposes. While not a panacea, this should lead to successful identification of many heretofore unidentifiable remains at the Central Identification Laboratory.

Mr. DORNAN. Thank you, Mr. Childress.
Mr. Ford, go ahead, please.

STATEMENT OF CARL W. FORD, JR., FORMER DEUPTY SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY AFFAIRS

Mr. FORD. Mr. Chairman, before I begin, let me apologize once again for not knowing who I was going to be testifying before. If you will notice my statement, I insulted by referring to you as the Committee on Internal Relations. Some people might argue this is a sign of my judgment and knowledge of a whole host of issues, but I would plead jet lag, having just returned from a trip to Asia on Saturday and learned yesterday from Ann Mills Griffiths that I would actually be here today. So please—

Mr. DORNAN. Where did you go in Asia, Mr. Ford?

Mr. FORD. I was in Japan and Korea.

Mr. DORNAN. Thank you.

Mr. FORD. Mr. Chairman, and other distinguished members of the committee, I am sincerely honored to appear before you concerning the POW/MIA issue. I wish I could say that there has been significant progress on receiving answers from Vietnam since we last met, but unfortunately that is not the case. Indeed, I have never been so pessimistic about the prospects for my Government achieving real results than I am today.

From the beginning, results have come slowly. At each step we have had to push or drag the Vietnamese kicking and screaming to make even small incremental movements in the direction of a fullest possible accounting. Even then it was done only when it suited Hanoi's own agenda, and only under its own terms. I might point out that this is not just my opinion. It is a historical fact. If you don't believe me, check the negotiating record or ask anyone who worked with the Vietnamese on this issue from the end of the war until 1992. If you find someone who says it has been easy, don't trust anything they say. They are either a liar or hopelessly ignorant.

Despite claims to the contrary, I see no evidence that things have changed since I left the Pentagon. As I suggested in my earlier testimony to you, the level of Vietnamese cooperation is no better, and in certain key areas worse than it was a few years ago. What has changed is the range of activities this administration uses to calculate Vietnam's effort. In past administrations, progress was judged in terms of the results from Hanoi's efforts in several key areas. Other activities, such as field investigations—judged to be more show than substance—were specifically excluded from our calculations. This is no longer the case.

Some may argue that the standards set by past administrations were too tough—that we raised the bar too high. This may be true. My purpose is not to argue who is right and wrong on this point, but simply to note that the progress they claim is not based on a change of Vietnamese behavior, but rather on a lowering of the standard used for judging the degree of Hanoi's cooperation.

Some in the administration have claimed, at least in private, that making concessions in advance would produce better results. They argued that once the trade embargo was lifted and normaliza-

tion realized, Hanoi would be more willing to provide remains. Despite my profoundest doubts concerning the logic of their case, I sincerely hoped that I was wrong. Unfortunately, I wasn't. Where are the results? Where are the remains? We lifted the embargo last year and normalized relations this summer, yet what do we have to show for it? Not much, I am afraid. All we have is "A Zero-Based Comprehensive Review" that asserts that, "The administration has reported separately to the Congress on the significant progress" Hanoi has made in the administration's four priority areas. The narrative does not mention anything that I can find, however, about Vietnam's continued acts of duplicity and stonewalling on the POW/MIA issue, especially on the photo and other priority cases, since the Clinton administration took office. Instead, it presents a mind-boggling array of numbers and statistics presumably designed to demonstrate progress and justify the previous claims of significant results.

I am sorry, I just don't get it. Look at four of the cases examined by the study: special remains cases, photo cases, priority discrepancy cases, and died in captivity cases. I think the administration will freely admit that these are the cases that we have the most cause to believe that Vietnam can provide the United States with remains, or should be able to give us a reasonable explanation why this is not possible. But rather than showing progress, a close look at their numbers caused me to question whether or not I fully understood the meaning of significant. I looked it up. I wasn't mistaken. "Significant," it is an adjective meaning: of important consequence; two, full of meaning or sense; three, specially expressive. Synonyms: one, critical, momentous, weighty. The numbers in the study, in my view, no matter how I add them up, are far from weighty or of important consequence.

After 20 years, using the administration's numbers—not mine, their numbers—we can credit the Vietnamese, by virtue of the remains they have repatriated or our own analysis, with being responsive on only 13 percent of the special remains cases, 10 percent of the photo cases, 13 percent of the priority discrepancy cases, and 59 percent of the died in captivity cases. What is worse, I think if you check with DOD, you will find that in several of these categories, most of these meager results were achieved before 1992. Instead of praising the Vietnamese for their cooperation, we should be asking how in God's name can 41 percent of the families whose loved ones died in captivity so long ago in Vietnam still have not received remains that they can bury with honor here in America.

In truth, United States policymakers for many years have been faced with a terrible choice between our foreign policy and international economic interests in Vietnam on the one hand, and the interests of the families on the other. Strong reasons for normalizing our relations with Vietnam have existed for some time. The Reagan and Bush administrations—right or wrong—chose, however, to favor the interests of the families until Vietnam presented convincing evidence that it was prepared to begin—I say again—to begin a process that could lead to a fullest possible accounting. This Hanoi has failed to do. Since the Clinton administration is using the same numbers that were available to us, I can only conclude that it chose to shift its priorities to the United States' other

interests at the expense of the families. I suppose that is what is meant when supporters of administration policies in Vietnam suggest that "it was time to put this issue behind us."

If so, they should have the courage to make the case openly. Many Americans will likely agree with the administration's choice. But I think the time is long past when this committee can, with good conscience, accept the administration's continuing claims that it acted with the families' interests in mind, or that its actions can be justified on the basis of Vietnam's significant cooperation since 1992. Neither is true. Read the administration's report. Listen to the families. Then you be the judge.

Thank you.

Mr. DORNAN. Mr. Ford, for someone who has just got off a series of jet flights from Asia, this is a beautiful statement. Thank you very much.

Mr. FORD. Thank you, Mr. Chairman.

[The prepared statement of Mr. Ford follows:]

Statement on POW/MIAs
by
Carl W. Ford, Jr.
Prepared for
Committee on International Relations
House of Representatives
November 14, 1995

Mr. Chairman, and other distinguished members of the Committee, I am again sincerely honored to appear before you concerning the POW/MIA issue. I wish I could say that there has been significant progress on receiving answers from Vietnam since we last met, but unfortunately that is not the case. Indeed, I have never been so pessimistic about the prospects for my government achieving real results than I am today.

From the beginning results have come slowly. At each step we have had to push or drag the Vietnamese kicking and screaming to make even small incremental movements in the direction of a fullest possible accounting. Even then it was done only when it suited Hanoi's own agenda, and only under its own terms. I might point out that this is not just my opinion. It is an historical fact. If you don't believe me check the negotiating record, or ask anyone who worked with the Vietnamese on this issue from the end of the war until 1992. If you find someone who says it has been easy, don't trust anything they say. They are either a liar or hopelessly ignorant.

Despite claims to the contrary, I see no evidence that things have changed since I left the Pentagon. As I suggested in my earlier testimony before the committee:

... the level of Vietnamese cooperation is no better, and in certain key areas worse, than it was few years ago. What has changed is the range of activities this Administration uses to calculate Vietnam's effort. In past Administrations, progress was judged in terms of the results from Hanoi's efforts in several key areas. Other activities, such as field investigations—judged to be more show than substance—were specifically excluded from our calculations. This is no longer the case.

Some may argue that the standards set by past Administrations were too tough—that we raised the bar too high. This may be true. My purpose is not to argue who is right and wrong on this point, but simply to note that the progress [they claim] is not based on a change of Vietnamese behavior, but rather on a lowering of the standard used for judging the degree of Hanoi's cooperation.

Some in the Administration have claimed—at least in private—that making concessions in advance would produce better results. They argued that once the trade embargo was lifted and normalization realized Hanoi would be more willing to provide remains. Despite my profoundest doubts concerning the logic of their case, I sincerely hoped that I was wrong. Unfortunately, I wasn't. Where are the results? Where are the remains? We lifted the embargo last year and normalized relations this summer, yet what do we have to show for

it? Not much I'm afraid. All we have is, "A Zero-Based Comprehensive Review," that asserts that, "The Administration has reported separately to the Congress on the significant progress," Hanoi has made in the Administration's four priority areas. The narrative does not mention anything, however, about Vietnam's continued acts of duplicity and stone walling on the POW/MIA issue, especially on the Photo and other priority cases, since the Clinton Administration took office. Instead, it presents a mind boggling array of numbers and statistics presumably designed to demonstrate progress and justify the previous claims of *significant* results.

I'm sorry, I just don't get it. Look at four of the cases examined by the study: Special Remains Cases; Photo Cases, Priority Discrepancy Cases; and Died in Captivity Cases. I think the Administration will freely admit that these are the cases that we have the most cause to believe that Vietnam can provide the U.S. with remains, or should be able to give us a reasonable explanation why that is not possible. But rather than showing progress a close look at their numbers caused me to question whether or not I fully understood the meaning of *significant*. I looked it up. I wasn't mistaken— "**significant**, adj. 1. of important consequence. 2. full of meaning or sense. 3. specially expressive. **Syn.** 1. critical, momentous, weighty". The numbers in the study, in my view, no matter how I add them up, are far from weighty or of important consequence.

After twenty years, using the Administration's numbers, we can credit the Vietnamese—by virtue of remains repatriated or our own analysis—with being responsive on only 13% of the Special Remains Cases, 10% of the Photo cases, 13% of the Priority Discrepancy Cases, and 59% of the Died in Captivity Cases. What's worse, I think, if you check with DoD, you will find that in several of these categories most of these meager results were achieved before 1992. Instead of praising the Vietnamese for their cooperation, we should be asking how in God's name can 41% of the families whose loved ones died in captivity so long ago in Vietnam still not have received remains that they can bury with honor here in America.

In truth, U.S. policy makers for many years have been faced with a terrible choice between our foreign policy and international economic interests in Vietnam on the one hand, and the interests of the families on the other. Strong reasons for normalizing our relations with Vietnam have existed for some time. The Reagan and Bush Administrations—right or wrong—chose, however, to favor the interests of the families until Vietnam presented convincing evidence that it was prepared to begin—I say again—to begin a process that could lead to a fullest possible accounting. This Hanoi has failed to do. Since the Clinton Administration is using the same numbers that were available to us, I can only conclude that it chose to shift its priorities to the U.S.'s other interests at the expense of the families. I suppose that is what is meant when supporters of Administration policies in Vietnam suggest that, "it was time to put this issue behind us."

If so, they should have the courage to make the case openly. Many Americans will likely agree with the Administration's choice. But, I think the time is long past when this committee can, with good conscience, accept the Administration's continuing claims that it acted with the families interests in mind, or that its actions can be justified on the basis of Vietnam's significant cooperation since 1992. Neither is true. Read the Administration's report. Listen to the families. You be the judge.

Thank you.

Mr. DORNAN. One quick prologue before Ann Mills Griffiths speaks, sitting here thinking about the history of this, I want to correct something I said earlier. I said 34 years ago today John F. Kennedy upped the number of people going to Vietnam to 16,000, a huge incremental jump over the less than 1,000 that were there. That is a pretty good force of advisors, if you look at what we are doing around the world today, from Haiti to Bosnia. He was actually 44 years of age. He had just turned 44 when he went to Vienna to meet with Khrushchev, and if you read the memoirs of one of the very distinguished men of that period, Dean Rusk, the Secretary of State, he said that Kennedy came out of the meeting with Khrushchev, and he was asked, "How did it go?" And Kennedy's words were, "It was a disaster. He thinks I'm a young punk," or words to that effect. And he said, "We are going to have to take him on somewhere, somewhere in the world, or it will be worse," meaning heading toward some nuclear confrontation. He said, "We are going to have to take him on somewhere, and it might as well be Vietnam."

Now, if that is true, here is Kennedy 2 months after the Cuban Bay of Pigs fiasco—a fiasco because we put men on the beach in our uniforms using our landing craft, with our weapons, our ammunition, our training, and then jerk the air cover to satisfy diplomats at the United Nations. And 2 months after that, he is in Vienna, in June—July, August, September, October—and 5 months later, less than 10 months as President, 44 years of age, his Vienna remark comes true, might as well be Vietnam.

I am not going to break faith with the men that we sent there. So keeping in mind that what we are seeking here is good history so that it doesn't happen again on the eve of where we are headed, remember that every President that goes down Pennsylvania Avenue, passes the Archives, and on the north side of the Archives building are two female figures representing history, Greek—Greco-Roman type figures, and under one it says, "The past is prologue," and on the foundation of the other statue, it says, "Study the past." And that is what we are trying to do here, is not only get justice but also set a Congressional record studying the past so that we don't suffer as the two French families are suffering somewhere in France today. Who the heck knows these names: Capt. Frederic Chiffot and Lt. Jose Saudisnex? Missing. Saw them come down in good parachutes, just like a Vietnam story. Saw them on the ground, got good beeper signals, and that was August 30, and they disappeared in Bosnia. If that French Mirage 2000 had been an American EA6 with four men in it, what would we be doing now? It could have had a mixed crew with a female officer on that crew; we have got 14 women flying in fighter aircraft in the Air Force, about that number in the Navy. What if we had an American female fighter pilot and her front seater or her back seater missing all these days? It would be on the cover of People Magazine, Time, Newsweek. Look at O'Grady, a good escape and evasion story, up in the air for 6 days and nobody heard him or picked him up. He told me that in my office, chatting with Sam Johnson. What if O'Grady was still missing? He wouldn't be in Reader's Digest as a story on a successful escape and evasion. He would be in Reader's Digest like the Mogadishu 18, plus one 3 days later that they were

slaughtered, as Sam Johnson and I predicted would happen. We predicted on the House floor that if we elected a 46-year-old man with no experience and his background, he would get better men than he killed. And it happened in Mogadishu. It can happen in Bosnia. And we haven't finished writing the history of what President Kennedy started 34 years ago today in Vietnam.

So, with that, Ann Mills Griffiths, please give us your testimony.

**STATEMENT OF ANN MILLS GRIFFITHS, EXECUTIVE
DIRECTOR, NATIONAL LEAGUE OF POW/MIA FAMILIES**

Ms. GRIFFITHS. Thank you, Mr. Chairman and members of the committee. I too welcome this opportunity to again testify. I do have a couple of documents I would like to attach to my testimony which will give evidence to some of the statements I am making.

In preparing for today's hearing, I reviewed my most recent testimony on July 12 before the Committee on Internal Relations. Unfortunately, little has changed and my analysis of the Clinton administration's policy and approach at that time still stands. Just the day before that testimony, on July 11, President Clinton had announced his decision to establish diplomatic relations with Vietnam.

At that time, as happened each time a step was taken to improve economic and political relations with Vietnam, there was great fanfare about the outstanding progress being made to account for missing Americans, and we heard the same positive assurances that accounting results would increase with the improvement of relations.

Just as before, joint activities have continued to expand, but concrete results in terms of accounting have not. In fact, since January 1 of this year, the remains of only one American previously missing in Vietnam have been returned and identified, and only nine since the embargo was lifted in February of 1994. The remainder of those identified from Vietnam were recovered during the Reagan or Bush administrations. That, Mr. Chairman, is not increased accounting results in keeping with documented evidence and intelligence assessments of the U.S. Government that demonstrate what is possible and which is the subject of the hearing today.

After the priority was raised by the Reagan administration in 1981 and visibility reached high levels, there were many accusations of conspiracy and coverup by the U.S. Government. The league at the time rejected such claims, and we have fought hard to focus on only one theme: U.S. Government evidence and assessments contained in the official data base. Our expectations for accountability were based on these facts, not wishful thinking.

We didn't support conspiracy and cover-up then, but now, if not engaged in an actual cover-up, senior U.S. Government officials are directly involved in a conscious effort to withhold facts from the families, the Congress, the veterans, and the American people and to get this issue off the front burner. To put it bluntly, the alleged DOD zero-based review is a political document, distorting serious analysis, written and issued by policy makers to support President Clinton's decision to improve economic and political relations with Vietnam.

Individual case assessments, in my view, will firmly support the long-established position that unilateral actions by Vietnam to locate and return remains and provide relevant documents will account for hundreds of Americans. And I was pleased to see, Mr. Chairman, that you intend to subpoena both the analysts who were not able to be here today and the individual case assessments which I am confident will prove what I just said.

Mr. DORNAN. Ann, would you pause there one second? As a family member who has kept the faith here for over a quarter of a century, how do you personally react to the description of these analysts as non-essential?

Ms. GRIFFITHS. I think they are the core and key of the entire Defense Department effort and the most essential of anyone working on this issue are the analysts that comprise what is now the Research Directorate, Research and Analysis Directorate at Defense POW/MIA. It is their assessments that were incorporated into the special national intelligence estimate [SNIE] that Mr. Childress mentioned and the DIA assessments that followed, and which I think are what appear on this thing. I have not been able to look at that yet. But they are the ones that have kept the core of this issue, and they are the ones on whom the families have based their expectations over the years, despite problems that we have had, despite lack of political support for their efforts—in some cases, almost phasing them out in the Carter administration, for instance, and a continuing building process, and subsequent problems that have occurred. Nevertheless, they form the core of that issue, and they are very essential to us and to this issue.

Mr. DORNAN. In all of the cacophony that we are hearing on all the news shows over the weekend and all day today and this morning, several newscasters have verified my memory that during these so-called shutdowns, the Congress always went back, retroactively, and paid everybody in the Federal Government. So what they ended up with was a day or two or three—one of them was on a holiday, as I recall—of vacation time where they can do what they want and they know they are going to get paid for it retroactively. And it is my guess that all these so-called nonessential analysts would have loved to have come here today to testify about their hard analysis. I can't believe they are sitting at home not wanting to be here today. I just can't believe that.

Ms. GRIFFITHS. I think that they would have been here voluntarily had they not been considered nonessential.

Mr. DORNAN. Or had they been given the option. Do you want to come today to Capitol Hill to testify? They would have said—

Ms. GRIFFITHS. I can't speak for them. All I know is that their testimony is essential to getting to the facts on this issue, and it is to them that everyone should look as far as what Vietnam and Laos can and cannot do to account for missing Americans.

Though the league had growing concerns about direction and process toward the end of the Bush administration, we did not foresee that the Clinton administration would move so deliberately and rapidly to undercut our prospects for accountability. They have tried, and continue to try, to distort the foundation on which we rely to judge our accounting expectations.

It took the Clinton administration only 3 years to eliminate the POW/MIA issue from a clear-cut mission on an effective inter-agency basis, to remove competent field personnel, to decentralize the effort to the Pacific, to place political pressure on the intelligence community, to degrade the accounting criteria, to downgrade expectations of the Vietnamese Government, to halt serious negotiations for unilateral Vietnamese actions—and all at a cost of only \$55-plus million a year to get decreased accounting results.

It is one thing to know that answers are available and to be frustrated by the manipulation of the Vietnamese leadership. It is an even greater feeling of emptiness and frustration to know what could be done to get accountability and have to once again, as we did before, fight our own Government just to get the facts.

As you know, I am not new to this issue, to policy, to testimony or dealing with Vietnamese officials. I have been involved nationally for over 20 years and personally even longer. Now, to my horror, I am seeing actions by policy-level officials that are an affront to us, our missing loved ones who served, and to our Nation. Such attempts to skew facts for political objectives are also an affront to the Congress and to those current and former U.S. Government officials who know the truth, two of whom are sitting beside me.

Of even greater offense is that Vietnamese officials—and Mr. Childress referred to this—have repeatedly asked for a plan to define actions they need to take, both unilaterally and jointly, to achieve increased accounting results, and this Government, my Government, has not provided a response. The Vietnamese know that many cases, especially those categorized as discrepancies—both last known alive and special remains that Mr. Ford referred to—must be resolved through their own efforts in a context of a rational policy.

Vietnamese Deputy Foreign Minister Le Mai asked for this breakdown in July 1994 during a Presidential delegation in which I participated. Several requests have since been made by responsible Vietnamese officials, both to me and directly to United States Government officials, but to date, no response has been provided.

Mr. Chairman, I now understand that it is the administration's intention for the Presidential delegation to present the results of this new DOD review to the Vietnamese, Lao, and Cambodians during the visit later this month. The league and the major national veterans organizations have again been asked to participate; however, as the representative of the POW/MIA families, I will have to carefully review and talk with my board about the substance and modalities of the planned presentation before we can make a decision as to whether I participate. It is also my understanding that no senior State or Defense Department official will participate, an unmistakable signal to the Government of Vietnam, particularly falling on the heels of a Cabinet-level visit by Secretary Peña of Transportation and other high-level visits by senior officials of this administration on other issues.

But my greatest concern stems from the United States Government's continued refusal to accept its own data as a baseline for serious negotiations to achieve unilateral Vietnamese actions. The league cannot endorse presentation of a politicized document or

data as distorted as that which is repeatedly presented to the Congress, to the media, to the families, and to the veterans.

Mr. Chairman, before closing, I must address some very serious concerns regarding what I view as recent violations of the identification procedures by the Central Identification Laboratory in Hawaii and the Armed Forces Identification Review Board.

As a member of the U.S. Government's POW/MIA Interagency Group, as the only non-Government member, I participated in a 3-year effort to develop the comprehensive procedures, as did Dick Childress, which were approved in October 1987. Although the vast majority—

Mr. DORNAN. Ann, would you pause there one second? Because this is very important. It was approved in October 1987. What were the years of that 3-year effort? Immediately prior to that?

Ms. GRIFFITHS. Before that. It took us 3 years altogether. Actually, almost—

Mr. DORNAN. 1985, 1986, and 1987?

Ms. GRIFFITHS. 1985, 1986, and 1987, to put together those procedures for the Central Identification Laboratory and the AFIRB.

Mr. DORNAN. All right. Go ahead.

Ms. GRIFFITHS. Although the vast majority of the families held the CILHI scientific staff in high regard, there as vocal criticism, in particular of the Armed Services Graves Registration Office, or ASGRO, which was the predecessor, really, of what is now the Armed Forces Identification Review Board. But at that time ASGRO was viewed as nothing more than a rubber-stamp operation rather than the AFIRB, which is a review board, a review panel.

There were multiple purposes for developing more comprehensive procedures, including what was hoped and turned out to be increased requirements for field excavations and difficult identifications of fragmentary remains which came out of that process. The effort also focused on the need to ensure integrity in the identification process, a system of checks and balances, inclusion of all information relevant to a case, including all incident and intelligence data, and incorporation of the primary next of kin in the identification process. In my view, we were successful in our effort, and the current procedures need no alteration. They do need strict implementation by all involved parties.

Over the years, I have repeatedly expressed the need to ensure that, above all, the Central Identification Laboratory Hawaii [CILHI] and the Armed Forces Identification Review Board [AFIRB] identification process must never be politicized under any circumstances. Until recently, I don't believe it was. Now, regrettably, CILHI is recommending identifications and AFIRB is approving them without adhering to the criteria spelled out in the procedures.

According to the Defense POW/MIA Weekly Update on November 3 of this year, "The AFIRB is the final approving authority for a recommendation," referring to identifications recommended by CILHI. The procedures require that in addition to all recovery and medical documentation, recommended identifications by CILHI include "other relevant documentation and information from agencies such as the JCRC and the DIA"—the Defense Intelligence Agency.

Further, decisions by the Armed Forces Identification Review Board [AFIRB] to approve CILHI-recommended identifications must be "based upon a preponderance of all relevant facts and circumstances including anthropological evidence, DIA or other intelligence reports, witness statements, JCRC evaluations and any other information relevant to loss of a service member and recovery of remains." Under current circumstances, JCRC would be the equivalent of the Joint Task Force—Full Accounting, and DIA would be what I referred to earlier as the Research and Analysis Directorate of Defense POW/MIA office, the DIA in this context.

These stipulations were either ignored or reviewed and dismissed, in my view, in the CILHI-recommended identification of REFNO 1600, the incident in which Colonel Charlie B. Davis, U.S. Air Force, and nine other Americans were lost, the husband of Mrs. Ginger Davis, who will be testifying today. The DPMO-published "Review of Documentation Pertaining to REFNO 1600" clarifies that information in the possession of the U.S. Government "clearly indicated Vietnamese knowledgeability relative to the REFNO 1600 loss incident." To the best of my knowledge, such data have not been specifically requested of Vietnam by the United States Government. It has been requested in a broader sense. Further, I understand that the AFIRB did not have in its possession at the time of its decision all relevant intelligence, but merely the summary, when considering its decision.

In this case, according to CILHI and their independent consultants, no individual identifications of remains were possible, even with DNA technology. Despite the lack of individual ID's and United States Government knowledge that the Government of Vietnam has relevant information on the incident, CILHI recommended identification, and it was approved by the AFIRB.

This action, Mr. Chairman, undermines the integrity of the process on which we, as family members, must rely. I know of at least one other case which, in my judgment, was recommended and approved despite evidence indicating that the Vietnamese Government should have knowledge and without an established chain of custody on non-life-threatening teeth simply turned in by a Vietnamese citizen, not with a chain of custody to the excavation.

That is the case of Capt. Harley Hall, U.S. Navy, a last known alive discrepancy case that was removed from the list of missing Americans by the Defense Department, over the strong objections of his wife, Mary Lou, who testified before this committee on June 28. As you know, there are many unanswered questions about Capt. Harley Hall's case.

Mr. DORNAN. Ann, just a footnote at this point. Capt. Harley Hall was the last man shot down on the very day the so-called peace treaty was signed in Paris. He was shot down over the DMZ. His radar intercept officer from the F4 Phantom was not known to be captured, suspected he was, and was released off no list to join the very last group of people to fly home on a freedom bird from Hanoi on March 27, 1973. What was the back seater's name? It starts with an A?

Ms. GRIFFITHS. I can't remember right now.

Mr. DORNAN. Well, he is home safely, anyway. This chairman, Bob Dornan, flew with Capt. Harley Hall at El Centro when he

was the commander of the Blue Angels, and I asked him if they would consider flying a missing-man formation, and he said, "We can't. It is too political." When I saw the Blue Angels in a performance later in 1971, they flew a missing-man formation, number three, pulling up into the clouds. And I saw him afterward. I said, "What changed your mind?" He said, "Well, we started thinking about it." A couple of us lost good friends in Vietnam in the interim, and he said, "To tell you the truth, Bob, it is the proudest moment in the show. We love doing it."

So when I heard that Harley Hall was the last one to go down, I just couldn't believe it. And that is why I was willing to go down with you to the Navy yard just a few blocks from here with Mary Lou to ask that they not do what they did. What year was that we went down and testified? In the middle 1980's?

Ms. GRIFFITHS. That was 1980, must have been 1980 when you went with us to try to object to the status, the presumptive finding of death, yes.

Mr. DORNAN. Right, I think it was that year. All right. Proceed. You just have one closing paragraph.

Ms. GRIFFITHS. I am through now. In October of this year, the Defense Department again confirmed its definition of accountability, which we support; the return of a live American or the recovery and identification of his remains or convincing evidence why neither is possible. The families do not expect accountability in all cases. We do expect it in the hundreds, in particular those on whom the United States Government has long maintained such expectations, apparently until now. The third element of accountability—convincing evidence of why neither is possible—requires subjective judgments. Accepting such judgments requires that the families have confidence in those sitting in judgment and making the decision. At present, that confidence is badly shaken, if not destroyed.

Mr. Chairman, I truly look forward to any questions that you and your colleagues may have, and thank you again for the opportunity.

[The prepared statement of Ms. Griffiths follows:]

TESTIMONY OF
ANN MILLS GRIFFITHS, EXECUTIVE DIRECTOR
NATIONAL LEAGUE OF POW/MIA FAMILIES
BEFORE THE
SUBCOMMITTEE ON MILITARY PERSONNEL
NATIONAL SECURITY COMMITTEE
NOVEMBER 14, 1995

Mr. Chairman, members of the Committee.....

I welcome this opportunity to again appear before the Subcommittee, but again regret that testimony on this issue is still necessary. As you know, I have testified many times over the last 18 years to provide the POW/MIA families' views regarding the status of efforts to account for our relatives still missing from the Vietnam War. Mr. Chairman, I have some material which documents my statement and, with your concurrence, I wish to place it in the record.

In preparing for today's hearing, I reviewed my most recent testimony, on July 12th of this year, before the Committee on International Relations. Unfortunately, little has changed and my analysis of the Clinton Administration's policy and approach stands. Just the day before that testimony, on July 11th, President Clinton had announced his decision to establish diplomatic relations with Vietnam.

At that time, as happened each time a step was taken to improve economic and political relations with Vietnam, there was great fanfare about the outstanding progress being made to account for missing Americans. And, we heard the same positive assurances that accounting results would increase with the improvement of relations.

Just as before, joint activities have continued to expand, but concrete results in terms of accounting have not. In fact, since January 1st of this year, the remains of only one American previously missing in Vietnam have been returned and identified, and only nine since the embargo was lifted in February of 1994. The remainder of those identified from Vietnam were recovered during the Reagan or Bush Administrations. That, Mr. Chairman, is not increased accounting results in keeping with documented evidence and intelligence assessments of the U.S. Government that demonstrate what is possible and are the subject of this hearing.

After the priority was raised by the Reagan Administration in 1981 and visibility reached high levels, there were many accusations of conspiracy and coverup by the U.S. Government. The League rejected such claims and fought hard to generate focus on one theme -- U.S. Government evidence and assessments contained in the official database. Our expectations for accountability were based on these facts, not wishful thinking.

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We didn't support conspiracy and cover-up then, but now, if not engaged in an actual cover-up, senior U.S. officials are directly involved in a conscious effort to withhold facts from the families, the Congress, the veterans and the American people and to get this issue off the front burner. To put it bluntly, the alleged "DOD report" is a political document, distorting serious analysis, written and issued by policy-makers to support President Clinton's decision to improve economic and political relations with Vietnam.

Individual case assessments will firmly support the long-established position that unilateral actions by Vietnam to locate and return remains and provide relevant documents will account for hundreds of Americans. Given the propensity of this Administration to change definitions, obfuscate numbers and measure progress in terms not relevant to the families, it will take some digging and serious oversight.

Though the League had growing concerns about direction and process toward the end of the Bush Administration, we did not foresee that the Clinton Administration would move so deliberately and rapidly to undercut our prospects for accountability. They have tried, and continue to try, to distort the foundation on which we rely to judge our accounting expectations.

Mr. Chairman, you know that the families have endured many ups and downs over the years. We were buffeted by successive administrations after the end of the war until President Reagan came into office. Even their good intentions were not enough; education was needed as well. They listened; this Administration does not.

Having inherited from the Carter Administration an effort with no priority and even less chance of success, great effort was made during President Reagan's eight-year tenure to ensure that serious priority and effort were institutionalized. This was continued by President Bush for three years -- and the Cambodian settlement took precedence. Then, some in the Bush Administration thought it was a zero-sum-game; others knew better.

It took the Clinton Administration only three years to eliminate the POW/MIA issue from a clear-cut mission on an effective interagency basis, remove competent field personnel, decentralize the effort to the Pacific, place political pressure on the intelligence community, degrade accounting criteria, downgrade expectations of the Vietnamese government, halt serious negotiations for unilateral Vietnamese actions -- and all at a cost of only \$55+ million a year to get decreased accounting results.

It is one thing to know that answers are available and be frustrated by the manipulation of the Vietnamese leadership. It is an even greater feeling of emptiness and frustration to know what could be done to get accountability and have to once again fight our own government just to get facts.

As you know, I am not new to this issue, to policy, testimony or dealing with Vietnamese officials; I've been involved nationally for over 20 years and personally even longer. Now, to my horror, I am seeing actions by policy-level officials that are an affront to us, our loved ones who served and to our nation. Such attempts to skew facts for political objectives are also an affront to the Congress and to those current and former U.S. Government officials who know the truth.

I find offensive the 180 degree difference between the President's rhetoric and the reality of what I face daily. Based upon Deputy Assistant Secretary of Defense Jim Wold's assurances in July, it is my understanding that analysis completed on the comprehensive review at that time, but that presentation of the report was being coordinated at a higher level in the interagency community, to include senior officials at Defense, State and the NSC. If this report is as bad as expected, my confidence is shaken even further.

Of even greater offense is that Vietnamese officials have repeatedly asked for a plan to define actions they need to take unilaterally and jointly to achieve increased accounting results, and it has not been provided. The Vietnamese know that many cases, especially those categorized as discrepancies -- last known alive and special remains cases -- must be resolved through their own efforts in a context of a rational policy.

Vietnamese Deputy Foreign Minister Le Mai asked for this breakdown in July, 1994 during a Presidential Delegation in which I participated. Several requests have since been made by responsible Vietnamese officials, both to me and directly to U.S. Government officials, but to date, no response has been provided. This political document, which is titled a DOD report, apparently still does not answer Vietnam's request.

It is time for realism, and, Mr. Chairman, I applaud the unilateral effort of DOD analysts to provide their assessments on cases which they believe are already accounted for as fully as possible. Those results, too, will require oversight, but the truth is what we seek. If the assessments are supported by evidence, I am convinced that the vast majority of the affected families, if not all, will accept them.

Mr. Chairman, I now understand that the Administration's intention is for the Presidential Delegation to present the results of this DOD review to the Vietnamese, Lao and Cambodians during the visit later this month. The League and the major national veterans organizations have again been invited to participate; however, as the representative of the POW/MIA families, I will have to carefully review the substance and modalities of the planned presentation before I can make a decision to participate. It is also my understanding that no senior State or Defense Department official will participate, an unmistakable signal to the Vietnamese government.

But, my concern stems from the U.S. Government's continued refusal to accept its own data as a baseline for serious negotiations to achieve unilateral Vietnamese actions. The League can not endorse presentation of a politicized document or data as distorted as that which is repeatedly presented to the Congress, the media, veterans and the families.

Mr. Chairman, before closing, I must address some very serious concerns regarding recent violations of the identification procedures by the Central Identification Laboratory (CILHI) and the Armed Forces Identification Review Board (AFIRB).

As a member of the U.S. Government's POW/MIA Interagency Group, I participated in a three-year effort to develop the comprehensive procedures, as did Mr. Childress, which were approved in October, 1987. Although the vast majority of the families held the CILHI scientific staff in high regard, there were vocal criticisms, in particular of the Armed Service Graves Registration Office, ASGRO, which was not a serious review panel, but more than a "rubber stamp" operation.

There were multiple purpose for developing more comprehensive procedures, including what was hoped and turned out to be increased requirements for field excavations and difficult identifications of fragmentary remains which evolved from such operations. The effort also focused on the need to ensure integrity in the identification process, a system of checks and balances, inclusion of all information relevant to a case, including all incident and intelligence data, and incorporation of the primary next of kin into the identification process. In my view, we were successful in our effort, and the current procedures need no alteration; they need strict implementation by all involved parties.

Over the years, I have repeatedly expressed the need to ensure that, above all, the CILHI/AFIRB process never be politicized under any circumstances. Until recently, I don't believe it was. Now, regrettably, CILHI is recommending identifications and AFIRB is approving them without adhering to the criteria spelled out in the procedures.

According to the Defense POW/MIA Weekly Update, dated November 3, 1995, "The AFIRB is the final approving authority for a recommendation," referring to identifications recommended by CILHI. The procedures require that in addition to all recovery and medical documentation, recommended identifications by CILHI include "other relevant documentation and information from agencies such as the JCRC and the DIA."

Further, decisions by AFIRB to approve CILHI-recommended identifications must be "based upon a preponderance of all relevant facts and circumstances including anthropological evidence, DIA or other intelligence reports, witness statements, JCRC evaluations and any other information relevant to loss of a service member and recovery of remains." Under current circumstances, JCRC, or Joint Casualty Resolution Center, would translate to Joint Task Force-Full Accounting (JTF-FA), and DIA would be the Research and Analysis Directorate of the Defense POW/MIA Office, or DPMO.

These stipulations were either ignored or reviewed and dismissed in the CILHI-recommended identification of REFNO 1600, the incident in which COL Charlie B. Davis, USAF, and nine other Americans were lost. The DPMO-published "Review of Documentation Pertaining to REFNO 1600" clarifies that information in the possession of the U.S. Government "clearly indicate Vietnamese knowledgeability relative to the REFNO 1600 loss incident." To the best of my knowledge, such data has not been specifically requested of Vietnam by the U.S. Government. Further, I understand that the AFIRB did not have in its possession the relevant intelligence, but merely the summary, when considering its decision.

In this case, according to CILHI and their independent consultants, no individual identifications of remains were possible, even with DNA technology. Despite the lack of individual IDs and U.S. Government knowledge that the Government of Vietnam has relevant information on the incident, CILHI recommended identification and it was approved by the AFIRB.

This action, Mr. Chairman, undermines the integrity of the process on which we, as family members, must rely. I know of at least one other case which, in my judgment, was recommended and approved despite evidence indicating that the Vietnamese Government should have knowledge and without as established chain of custody on non-life-threatening remains.

That is the case of Captain Harley H. Hall, USN, a last known alive discrepancy case that was removed from the list of missing Americans by the Defense Department, over the strong objections of his wife, Mary Lou, who testified before this Subcommittee on June 28th. As you know, there are many unanswered questions about Captain Hall as well.

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The families do not expect accountability in all cases; we do expect it in hundreds, in particular those on whom the U.S. Government has long maintained such expectations. The third element of accountability -- convincing evidence that neither returning the man alive or his identifiable remains are recoverable -- requires subjective judgments which are not yet possible. Accepting such evidence requires that the families have confidence in those sitting in judgment. At present, that confidence has been badly shaken, if not destroyed.

Mr. Chairman, I truly look forward to any questions you or your colleagues may wish to raise.

Mr. DORNAN. Thank you, and I thank this distinguished panel. And I promised you on the night of June 28, after about 11½ hours of testimony broken only by voting on the floor, that long day, that I would start the next hearings with you as a panel of experts to set the tone. I have already given some opinions on where we are at this point in history, so let me turn to my ranking colleague from Virginia, Mr. Pickett, for any questions. And I will let any member of the panel ask questions before I ask a few myself. Mr. Pickett.

Mr. PICKETT. Thank you, Mr. Chairman. Again, I thank and welcome our witnesses.

One of the key issues is trying to decide what it is that can be done at this stage in the process to speed up and hopefully conclude the activities. And I would like to have the suggestions of our witnesses here of any specific actions that you could recommend or might think would be appropriate at this time to be undertaken that would be helpful in speeding up the process and moving us toward being able to conclude the identification process.

Mr. CHILDRESS. Congressman, I view the greatest gap right now the lack of serious negotiations for unilateral action by Vietnam. The JTF and joint operations are ongoing, and they are giving them access to various places, but hundreds of these cases are not in crash sites. Hundreds of these cases are never going to be found by the guys working out in the field. And the Vietnamese are not going to respond to a public delegation led by the Veterans' Administration. They might respond, as they did to us in the 1980's, with serious policy level officials at a senior level in quiet negotiations that lays out for them here are the hundreds of cases in our data base that suggest—in some cases absolutely and in other cases probably—you can do something.

Now, you take that and you go work on it. Meanwhile, we are going to work on our end because we have got some off water and off the radar and off the shelf that maybe we can work on and come in from that side. Meanwhile, in the middle are things that jointly we should work on in the field in a visible way. And, Vietnam, if you start moving on that unilateral list, you will get grace. If you don't, you are not going to. And the measure of your cooperation is going to be on that list.

That kind of an approach to me is the only possible way that we are going to resolve this.

Ms. GRIFFITHS. I agree with that. I would just add that before that can take place, we have to have senior officials in the U.S. Government who know and accept their own intelligence analysis and data base, not simply the microcase assessment but the huge volume of substantive intelligence concerning what Vietnam can do—did do during the war, and can do in the future in terms of accountability. And right now, at the policy level, it is not my belief that they either know or accept the validity of their own humongous data base. But I would agree with the need for unilateral actions by the Vietnamese, and I think the Vietnamese are ready. When you talk about what they can do, they could at least answer in a substantive way the request of the Vice Foreign Minister of Laos or Vietnam and the numerous requests that have since been raised, both to United States Government officials,

former officials, and to me personally, asking for just such a breakdown as he described.

Mr. PICKETT. Mr. Ford, do you have anything you want to add?

Mr. FORD. Congressman, I would certainly agree with what Mr. Childress and Ms. Griffiths have said. I would just simply add that I think that we have to try. Right now I don't think we are trying. There is an attempt to show that by going around and visiting all these sites, somehow things are going to get better, when the historical record that is available to everyone will demonstrate that in the vast majority of those cases, the Vietnamese collected all of the important artifacts from those crash sites and other areas at or near the time of the incident and the time of loss. So that to go back 25 or 30 years later and expect to find some "Gee, whiz" thing that is going to solve the case is just sort of beside the point. I mean, it was done originally as sort of a cover story to explain why Vietnam was unilaterally taking remains out of their holdings and giving them to JCRC to bring home. So we have seen it sort of change overnight from what had been a way of getting them to unilaterally provide remains that they collected years and years ago to a full-bore effort to convince people that by sending these people out in the field we were going to solve this problem.

So I think we have to try to go back and, one, as Ann said, believe that there is a problem. Unfortunately, if you talk to some of these people privately, they think the Vietnamese have given us everything they are going to give or everything they have, so they are really not trying. They are trying to normalize relations, as they did. They are trying to lift the trade embargo, as they did. They are not trying to get results from the Vietnamese.

Show me one serious negotiating session between the United States Government and the Vietnamese since 1992. There hasn't been one. There have been delegations going over and shaking hands, talking about common problems, sweeping around the Vietnam countryside on United States-paid-for hunting expeditions. But the fact is that no one has sat down and said we would like the remains, we would like more information, it is just not going to work unless you are going to provide this information. Until we do that, forget it. It is not going to get any better.

If I were in Vietnam and I could get away with what I am being able to get away with today, I would do it, too. You would. Everybody—the remains are in my house, and the police want to come and look at my yard. Sure, go look in the yard. They are not there. But if you go in and you get a search warrant, you are going to find the bodies. But we have never been able to get in the house. They won't let us. And all the evidence suggests, beyond these discrepancy cases that we talk about, that they know far more than we do and that they have cynically refused to tell us. They know about some of the off-the-scope cases that are very difficult for us. We don't even know what happened when they took off from the carrier or from Thailand or from South Vietnam. But the Vietnamese do because the plane crashed in their country, and they went out and looked at the site and gathered the materials, including the remains if the person was dead, or the live prisoner, and they brought him back to Hanoi.

Go and look at the reports that we have from the Vietnamese all these years. That is what happened. I am not making this up. And the fact is they won't give us that. They know about it, but they won't tell us. And if we don't know what question to ask, we certainly aren't going to get it.

But we are not even asking the questions that we know, or if we are, we are accepting limited answers.

Now, their numbers show, as I tried to say in my testimony, we have photos of Americans that were in the possession of Vietnam—in their possession. And of those cases, they have provided 10 percent of the answers for us. Ninety percent of those cases where we say, well, where is this guy in the photograph, most of the time they just don't say anything. But they haven't provided the answers.

Now, how can you say that they are cooperating when I have got a smoking gun? I am not talking about lost-at-sea cases. I am not talking about an off-the-scope case. I am talking about a photograph that I can identify who that person is. DIA can. And they will say, well, that is Captain So-and-so. Well, where is Captain So-and-so? What happened to his body?

Remember the judgment is they don't have to provide remains for all these people. We would like for them to. The families certainly would. But they have to at least give us some evidence of why they can't. Maybe they got lost. Maybe they got burned up in a fire. Some of them I think were. Maybe they got lost in transit somewhere. Maybe somebody stole them. I don't know. But they at least have to give some sort of credible reason why they can't provide the remains.

If they have got a photograph of one of our people, excuse my language, dammit, they have to say, tell me, explain to me, why I can't get him back. And if I can't, OK, I will accept that. But don't just simply stare at me across the table and say I don't have any remains, because you have got something, fellow. You have got information or you have got these remains, and please give it to us.

We are not doing that anymore. We just simply are accepting their word that they can't help us in these sorts of areas. Or we are not trying hard enough, in my judgment.

Sorry. I will kick over the soapbox and go back to my shelf.

Mr. PICKETT. Well, I think this is kind of enlightening for me, because if I understand your remarks correctly, it is—I am not trying to put words in your mouth, but you apparently believe that the joint task force effort of going out at specific sites and trying to identify remains is never really going to be the answer to the problem and that in order to solve a lot of these cases, we are going to have to get into archives that maybe explain what the Vietnamese, the Laotians or whoever may have on these different incidents.

Mr. FORD. You haven't misunderstood me, Congressman. That is exactly what I am saying. But I would point out, because I worked with them in years past very closely, this is not to suggest that the Joint Task Force and the personnel that work for them are doing a bad job or that they somehow are falling down on their responsibilities. They are trying as hard as they can. And, in fact, I have always been angry that we would put these people out there at great risk in these old rickety Vietnamese/Soviet Russian heli-

copters, fly them around the country, always hoping beyond hope that nothing happened that they might get killed in a crash, because we knew that for the most part the reason they were there was, one, to give the Vietnamese an excuse—an ability to give us remains and, secondly, since they were stonewalling us, we could at least talk to the villagers near these crash sites and say, listen, I know it may be a long time ago, but do you remember 25 years ago when the plane crashed here? Well, you would be surprised from reading these reports how many of these people—yes, that was the year the pig died, and I remember, because it was the biggest thing in their lives. This F4 or this other aircraft comes screaming in a mile down the road. Everybody went to look. And they will tell our people as they go through and make these interviews, yes, we went there, there was some militia there; I think maybe one of the guys was alive, but he got killed on the ground because people were angry. But then this big black car and these people from Hanoi came, and they sort of policed up the area and took everything home.

That is not untypical of the sort of reports that we receive. Now, that is important. It is important to know that. It is important for people to talk to the villagers.

The point is that the arrow points back toward Hanoi. The arrow points back to the fact that they have got things. And we know they do, but they just won't give it to us. It is as simple as that.

Everybody says, well, Carl, if they have it, why don't they give it to us? I don't know. I honestly don't know. I have racked my brain. Other than the fact that they have used it for political and financial leverage on the United States all these years, and it must suit their interest. They did it to the French the same way. This is not new. We are not unique in this.

So why haven't they? I don't know for certain. I can't—but I don't think that should take away all of the evidence that suggests that they flat are holding back on much of the information that could answer the questions of the families, not maybe to their full satisfaction, but at least would give them some relief from the uncertainty of having these reports that their husband or their son was seen on the ground, or they have a photograph of him and the Vietnamese won't tell them what happened.

Now, as Ann pointed out, I think what is even worse now is that not only do the families and the League of Families have to face the fact that the Vietnamese for all these years have stonewalled and been frustrating to deal with; but now, again, the Government is beginning to do the same sort of thing. They are not helping at all. They see the League of Families as the enemy, not a friend. They kicked them out of the Interagency Group. I wonder why they don't want the league looking over. I can guarantee you, Ann is not the easiest person to work with. She can be a pain, because she looks at every little squiggle, every period, every comma, wants to tell Generals what to do and coordinate every one of their statements. She is feared and in some cases hated by people in the Pentagon. But we knew that without her knowledge, first of all, and without looking after the interests of the family, why were we in the business? Why were we doing our job?

And so I think it should tell you that the League of Families is no longer directly and intimately involved in the process of administering the POW/MIA issue at the Pentagon. That is obviously their preference, their choice, but I think—and part of it was because she is so hard to get along with, but I think, quite frankly, they wanted to change direction. They wanted to move in a different way, and they knew that she would scream loudly. They couldn't do it because she saw everything. She saw all the classified traffic. And in order to move toward normalization in lifting the embargo without real progress from the Vietnamese, you don't have the League of Families sitting in the room with you when you make those decisions.

Now, obviously, I am partisan. I may be too cynical. But that is my honest opinion, that there was a premeditated decision, despite whether the Vietnamese made progress or not, to normalize relations with Vietnam.

Now, I can understand intellectually for foreign policy and economic reasons why people would believe that, and I don't argue with their right to make the claim that that is a bigger interest or a more important interest than the one that I hold. I could well be wrong. But to tell me that it is because they support the families and because they support—because the Vietnamese have seriously and significantly cooperated, no, get real. Those are excuses. Those are policy camouflage for a decision to normalize relations without improvement in the POW/MIA issue. Be honest and have the courage to say what you believe. We think it is important to move on. We have done as best we could for the families. We are going to keep trying, quite frankly, despite the lack of progress; we have got to normalize.

That was the honest way to do it. It wasn't done that way. So you have this review to try to explain to people how much progress there is. Read it. It doesn't make that—it doesn't prove that. That is why the analysts aren't here today. If you start asking about the details of this report, you are going to find it doesn't even prove their own point. It proves mine.

If you believe that 10 percent progress on the photo cases is significant cooperation, fine. If you believe that 13 percent cooperation on discrepancy cases is satisfactory, is significant, is important, fine. Most of that was done during Bush and Reagan time, not during Clinton. So it is even less than that. And more importantly, these are the cases in which they have every—we have every reason to believe they know chapter and verse of what we want and what we are looking for and could help us significantly more, sometimes with the remains, certainly with records showing they had lost something or lost the remains or whatever. But they just won't do it.

Mr. PICKETT. Mr. Chairman, is it OK if I just finish up?

Mr. DORNAN. Go ahead.

Mr. PICKETT. The chairman of the National Security Committee, Mr. Spence, headed up a delegation back in April that paid a visit in Hanoi in Vietnam to get a briefing from the Joint Task Force on site there; and we had, I believe, Lieutenant Colonel Richmond that was in charge of the on-the-ground group in Hanoi at that time. And I recall the briefing very clearly where he stated that

they were getting what he considered to be adequate and forthright responses to all the inquiries that he was propounding. Being a lieutenant colonel in the U.S. Army, I believed that if he felt like he was not being dealt with forthrightly, he would have told our delegation while we were there. But your explanation today that you don't think that the Joint Task Force approach of going to site is going to be very productive is quite enlightening to me. You think that the next phase will have to rely upon data that can be or should be provided by the governments of these countries where the planes went down or the events occurred?

Mr. FORD. Yes, sir. I think it has always been the case that Vietnam in its own Government control or in places that it knows of, has most of the answers that we need. It is helpful to gain more evidence of their duplicity, and that is what the field activities have been able to provide us over the years, to give us the information to say you are lying; your own people that we went out and talked to said that you took the remains away or took other things away, so don't tell us that you don't have this.

So in that sense, these quite dangerous, in some cases, operations performed by young people that we ought to all be proud of because of the difficult circumstances they work under are providing information that gives us an ability to go back to Vietnam and say don't hold out anymore, your people in the field said so-and-so. They are important, but they don't provide the sorts of answers that the families are going to need to gain confidence that the Department of Defense is doing everything it can to provide the answers. They know that a large percentage of these cases we will never have good answers for. So that what they have always told me and what I think is a good approach is, give us the confidence with the percentage that you can so that those who are never going to get answers at least have confidence that that is the truth, that it is not something the Government didn't do properly or is holding back.

I think that has always been the focus that we should have had, gaining confidence in the Defense Department, in the U.S. Government, that when we tell the families something, they actually believe us and it relieves some of the uncertainty.

What was most discouraging today, and it was news, quite frankly, for me, was that Ann and the league basically are saying we don't trust them or are getting very close to that. Again, I don't want to speak for her, but that is what I heard in her testimony. That is a terrible indictment that we have reached the point where, once again, we are back worrying more about what the United States Government is or isn't doing rather than focusing on the real issue of why isn't Vietnam providing more of the answers.

Mr. CHILDRESS. Mr. Pickett, could I enter this discussion?

Mr. PICKETT. Please.

Mr. CHILDRESS. The reality is JTF was given mission impossible, and they were given that mission—many of the reasons they were given it was for political reasons. Get the issue out of Washington. Get it to CINCPAC. Put it in the hands of the uniformed military. They are immune to criticism. They would never abandon their brothers. They wouldn't consciously do that.

But if I take young military officers and I say go to Side X, they are going to tear their shirt to get to Side X. They may not be qualified in language, some of them, but they are going to do their best to get out there and do it.

But if that site, if the intelligence data shows clearly that a black Lada pulled up and hauled the body off, or that we have intelligence information that it was visited by public security people, going to that site and testifying as a uniformed military, I investigated that site and found nothing, is not a sign of progress.

The other thing we have got to keep in mind on archives versus remains, it is sensitive to the Vietnamese to ask for their central archives. It is sensitive to the Vietnamese to ask for their Politburo records. And we may never get them, but I told them, I don't want your records; give me the remains. If I have the remains, I don't need your records. But if you can't furnish the remains and I have evidence, then you have no choice if you want to satisfy me.

So the hierarchy of needs for accountability is remains first; if that doesn't come, then show us in your records why it can't be, or other information.

Ms. GRIFFITHS. Could I just add to that? It comes to a point of believability. They have talked about obviously we all know and support criteria of accountability. But when you are talking about the word of Vietnamese when it comes to information, you are not going to begin to believe them until they begin to start to be more honest, such as providing accountability on the photo cases that Mr. Ford was talking about, or accounting for people last known to be alive in their possession. When they start to do that in a significant way, we are all going to know it immediately. Then maybe we can begin to believe the kinds of assurances. But keep in mind how long they have given us assurances that they didn't have any remains. They gave assurances on Ted Koppel's "Nightline" in 1982, the Foreign Minister of Vietnam, who said we are not holding any remains. I was in Bangkok. He was in Washington and I guess didn't know the camera was on him, and he just rolled his eyes and shook his head. But the Foreign Minister of Vietnam said we are holding no remains.

We subsequently got out 162 stored remains, including some on the border with Laos of a discrepancy case of a family you know, Mr. Chairman, and also a discrepancy case out of Cambodia. The one from Laos has never been buried, was nearly 98 percent complete, and showed evidence of storage.

The other thing I wanted to point out is joint field activities are very crucial in Laos. We have not mentioned Laos, but joint activities in Laos are crucial because there was not the kind of comprehensive control and massive population in population areas that we have. We just don't have that situation in Laos. It is a very different set of circumstances.

The other factor we have in Laos is that over 80 percent—I believe it is 82.3 or 83.2, something like that—of all the cases in Laos were lost in areas controlled by the Vietnamese. When you get to discrepancy cases, 81 cases, 139 people, the degree of Vietnamese control is 90 percent. Now, it is to Vietnam that you have to look for records in those cases unless they have their remains or unless some of them are still alive. But it is Vietnam that you have to look

for. Therefore, joint activities in Laos are bringing greater results even in numerical terms than they are in Vietnam, at least at this point.

Mr. PICKETT. Just a final clarifying question, if I may. There are some numbers here that I have been given that say currently there are 2,170 Americans still unaccounted for in Southeast Asia, of which 1,614 are associated with losses in Vietnam, 471 in Laos, 77 in Cambodia, and 8 in China. Is there general agreement on those numbers?

Ms. GRIFFITHS. Those are the numbers, yes.

Mr. PICKETT. Thank you very much.

Thank you, Mr. Chairman.

Mr. DORNAN. Mr. Watts.

Mr. WATTS. Thank you, Mr. Chairman. I just have one question. I would be curious. How many families are here today that are directly affected by MIA/POW?

Mr. DORNAN. Family members, hold your hands up high one more time.

[A show of hands.]

Mr. DORNAN. At least six families.

Mr. WATTS. Thank you. I have no further questions, Mr. Chairman.

Mr. DORNAN. Let me walk down some questions we have prepared. I want to start with Carl Ford, and I want to point out something, too, that you had made in reference to Ann. In the general officers who are afraid of Ann Mills Griffiths were probably young captains or majors, while if Schwarzkopf was a major north of the Idrang Valley—and we are coming up on the 30th anniversary of the Idrang Valley fight, the first fight where we took casualties, over 200 killed in action, 203, as I recall, rather than just in groups of handfuls of men dying for freedom. That started this week 30 years ago. Just north of there was a young Major Schwarzkopf, a military adviser to Vietnamese Special Forces unit near Pleiku. Daktow I think was his camp. So when our men started missing—well, DeBruin's picture, whose picture was up there, was September 1963. A lot of them weren't even on active duty yet. They can be a little uptight over being held accountable for this, but I will just make this observation. If they had ended up missing at any time in their career, they would have wanted Ann as their sister or their brother—and I know brothers who have worked as hard as Ann.

I repeat, I met Ann's parents before I met Ann. Her dad was principal of a high school. Was that in Bakersfield? I remember Buzz Mills very well. And your mom was like painted by Norman Rockwell, as I remember, just an all-American family. So, again, all we are looking for is truth and justice here.

Let me start with you, Carl, on the special national intelligence estimate in 1987. What was the purpose of that, and what were the terms of reference? And then I just have a followup question to that.

Mr. FORD. Yes, Mr. Chairman. Let me caveat this with a little bit of an intelligence officer's soft shoe. Given that I was the manager, the National Intelligence Officer [NIO] for East Asia at the time that the SNIE was written, and since it is still classified and

I have a secrecy agreement, I would be happy to discuss this and any other intelligence issue with you and other members of the committee in a closed hearing. But I feel obligated not to go into any details on the SNIE itself, at least in the legal sense, because of those classification issues.

There is a second, more practical problem, and that is, it has been a long time ago, and I haven't read it since about 6 or so months after it was originally written. So I frankly have found in recent weeks that probably Dick Childress remembers it better than I do, at least in detail. So before I would comment to you on the contents, I would like to at least be given access to read it again. It was too long ago.

Mr. DORNAN. Sure.

Mr. FORD. But let me give you—

Mr. DORNAN. I was going to ask you about the numerical expectations in terms of remains.

Mr. FORD. I frankly don't remember.

Mr. DORNAN. Don't remember, OK.

Mr. FORD. Certainly I don't remember the details of that. But let me give you a sense of some of the background. I as NIO was doing anywhere from 12 to 15 estimates a year during the 4 years that I was NIO. So this was only one of many estimates that I did.

This particular one was requested by other members of the executive branch, both State Department and the NSC. And it was my practice at the time, when people, particularly my colleagues in the executive branch, would ask for a national estimate, I said, Are you really prepared to hear what we have to say? And I would always give them the opportunity to say no, we don't really want you to do this special estimate, we just thought we might request—because I wasn't quite sure myself what sort of answers were going to come from examination of the POW/MIA issue. At that time I knew very little about it, quite frankly. But they said, no, we don't care what you have, what the intelligence community comes out with; we will live with whatever the results are.

So I then requested the Director to approve my launching a special national intelligence estimate [SNIE] on this issue, chose a principal drafter, and went about the process, the normal process of creating a draft paper that was then coordinated by various other agencies in the community.

What I remember most about this estimate was the fact that DIA was the only game in town. Everybody else had tried to stay as far away from POW/MIA as they could from about 1975 on. So the body of detailed information on—

Mr. DORNAN. Can I just comment on that why, and it was very interesting, and it has driven to distraction a former member. But I was in his office, and I witnessed this. He asked, someone asked, the head of the CIA, Do you think we left men behind? And he said, well, of course, we did. And then we said, well, what are you doing about it? And he said, well, what do you want to do? Give President Reagan—and here is the quote—"an instant hostage crisis"? I never looked at it that way; that to say we left men behind and then that they might be alive was to say we had live Americans somewhere in Indochina, ergo they have got hostages over there, ergo we have self-inflicted ourselves with a major hostage

crisis. And this was a Presidency, Ronald Reagan's, that had been inaugurated within minutes of the release of the final 52 hostages who had been slapped around on camera and were ordered to carry out garbage in American flags, embassy flags with the yellow trim around them. This was a painful end to the last 444 days of Jimmy Carter's Presidency. And I had never looked at it that way, but I didn't accept it. But that is why people from 1975 on probably didn't want to touch this issue, was it had the aspects of self-inflicting wounds on all of these administrations until this one, where there are all sorts of deep psychological motivations beyond having some kind of a crisis to deal with that motivate how they handle it.

Go ahead.

Mr. FORD. Mr. Chairman, I honestly don't know why that was the case. I am just reporting that at that time I couldn't find anybody in the intelligence community, other than DIA, who was still actively involved in the study of Southeast Asian POW/MIA's.

Mr. DORNAN. That was 1975?

Mr. FORD. No. This was in 1985-86 timeframe.

Mr. DORNAN. Oh, 10 years later.

Mr. FORD. Yes.

Mr. DORNAN. You didn't find anybody in intelligence, the intelligence community, actively involved in garnering good intelligence.

Mr. FORD. Analyzing it. There were—

Ms. GRIFFITHS. Except for DIA.

Mr. FORD. Except for DIA. There were still people that, if they got information for other reasons, whether it be NSA or whether it be CIA clandestine collection activities, if there was information on POW/MIA's, it still had a very high priority and was sent through the process. But, quite frankly, over time DIA had been sort of—either they couldn't fight hard enough to avoid being given that sole responsibility or other people were more clever bureaucratically. But for whatever reason, only one agency was really responsible for it. They provided the principal drafter. It was my first introduction to the issue. Frankly, as manager, I didn't have to be expert. I simply had to be able to try to draw the best from the community and get an agreement on what they wanted to say about this particular subject.

I remember that it was—I knew so little about it that I was not confident myself whether we had been too easy or too hard or too waffley in our judgments. I remember thinking that it was a pretty good estimate, but, again, I don't remember the details.

Now, what I do remember most is when I got to the Pentagon some years later, and after I had been thrown into the briar patch of POW/MIA, full-time almost, I looked back on that estimate, and I went, boy, was I naive. As any good manager, I would always make sure that I didn't go too far on the evidence that we had available. So my reaction was that I pulled too many punches in that estimate; that if I had known what I knew a few years later, I would have been able to be more confident in being sharper in the judgments that I would have included in that estimate.

Now, that is not to say that the numbers would have been different, but it is more the general thrust of maybes that we think

or whatever. I would have been sharper in the judgments of accountability of the Vietnamese.

Mr. DORNAN. Mr. Ford, I can't tell you how much I appreciate this statement you just made, because I recall watching you testify in some of those early appearances, and I thought this is a good man, there is a lot of naivete here, new to the subject, and that is my assessment of a lot of people in the Pentagon today, all of them good men and women, some of them too new to this issue, all of them starting off with a basis of trust that is naive, at best. We are dealing with a Communist government here. I mean, I have never been deterred from what the nuns taught me in grade school; that Lenin trained himself and everybody who ever followed him to lie; that it just is absolutely a system that had to exist on lying; that there was no ethical word for lying. It was all the good of the state or the good of the cause. You would say whatever was necessary to obfuscate, to deflect, to confuse, and to win victory for your cause. And that is why it is so painful to see a former leader of the free world, a President, sitting under that massive 7-foot bust of Ho Chi Minh in Hanoi, to see U.S. Senators going over there hugging war criminals, crying.

Do you know in Saigon a bunch of Senators sat there while some American jerk got up in a sibilant way and sang "Memory" from "Cats" and they all cried and then hugged one another? These are terrorists that had been at Canton Island in prison. I mean, this just—on the 4th of July this took place. Talk about naivete. And then people at the Pentagon think, well, Bob Dornan is a pretty gung-ho guy. Why doesn't he like us? Why doesn't he appreciate what we are trying to do? It is this naivete to the point of ignorance that is getting in the way of our seeking justice here.

Mr. FORD. Mr. Chairman, I was very naive about some of these things as well, and, in fact, in my time—if I count my retirement time—in my 30-plus years in Government service, including over 10 years in the U.S. Army, which I am most proud of, I can't recall ever being lied to—maybe they did, but I didn't know that I had been lied to by another colleague except two times, and it was the same person, and it was on this issue. So I have been very fortunate with the people that I have worked with, that even when we strongly disagreed, there was no reason to lie.

In my short time of working POW/MIA, it became a common practice, when I met with Vietnamese officials, for them to lie to me. Ann and Dick have had the experience, of course, of them saying, well, we don't have any remains. And I understand that. It was a sort of plussy lie, but it was a lie nonetheless.

Well, they did the same thing with archives. We don't have any archives. In fact, they got mad at me for pressing the point, and were almost threatening to leave the room because I was calling them a liar. I didn't. I just simply said, but we have evidence of this. And they said, We don't have these archives. Well, only a year or two later, of course, they dumped a whole pile of stuff in our lap.

So, to me, I think that there are a lot of people who have had my experience in Government who just don't assume—or who assume people are going to always tell them the truth, because that is the way we operate, for the most part, and we can rely—I mean, particularly in intelligence, but I guess it is true in other—if we

ever get caught in a lie, you will never believe us again. Our credibility is crucial. So even if we didn't grow up, as I did, with my mom and dad saying if you do something wrong, at least tell the truth even if it hurts. But even if you grow into it over time, you realize it is not in your self-interest, that you shouldn't lie.

But when you go to Vietnam, it is a different world, and our young captains, our young majors don't expect that this very smart, very attractive, very capable military leader from Vietnam, who has just had a beer with them and said I don't know what you guys are all worried about, we don't have any remains—what do they say? Well, I was told they don't have any remains. And they don't immediately assume, well, maybe they lied to us, because that is not our nature and it is not the experience of the U.S. Government official, normally.

Mr. DORNAN. Well, this can go all the way up to a mustang who got his commission at Anzio as a second lieutenant in his teenage years to go over and start accepting the word of a war criminal as though it is one warrior to another. This is not Adolph Galan at some air show in the United States, a Luftwaffe commander dealing—or German officers from World War I that came over here and traveled around at air shows in the barnstorming days. This is not the same thing. There were serious war crimes going on, and there were concentration camps called reeducation camps during this whole decade from 1975 to 1985. This was an evil regime, and, of course, they were going to lie to us. And then they undo their own lies and expect us not to recall because—well, suffice it to say, if you were a Vietnamese at any level now, just in the last month, and saw McNamara's performance over there, what would you think about the United States of America and its diplomats and its civil service people and its military officers? What kind of a stupid, foolish country would you think we were? And on Veterans' Day in Oakland at another forum, I turn on the TV in the morning, and they are doing—one of the networks—a show on the Green Berets, and they started off by showing all the Rambo footage from Hollywood and then talking about this guy that went crazy down at Fort Bragg and how he was jumped by unarmed Green Berets. And I thought, well, this would be a positive piece, and the next thing I hear is: Well, of course, they have never recovered from losing the war. Green Berets didn't lose the war in Vietnam. We never lost a battle in any piece of territory we had overrun from an A camp to a small unit, we retook the ground at will.

But we are still psychologically whipping ourselves that we lost the war, we should be groveling to them; they are a noble country, they are the best Communists anywhere in the world ever, in this century, and we are lucky to get whatever we want, and we are the liars, as McNamara has established over the Tonkin Gulf incident for all of the Oliver Stone movies to come.

All right. Let me ask Dick Childress this: Based upon subsequent DIA assessments, Dick, what were the figures in terms of U.S. Government expectations, roughly, at the end of the Reagan administration? And then I am going to ask you about the Bush administration. What at the end of the Reagan years did we really think were reasonable assessments?

Mr. CHILDRESS. In terms of remains repatriation, if I recall, the high end was over 600, and I think the low end was 400, 350, something like that. And I might add that throughout the Reagan administration, when we started doing specific analyses such as the SNIE and DIA analysis, JCRC, each one of those reconfirmed what we had known before. There may be some numbers that had dropped because we got some accountability for some or we got some additional information. But it never dropped below several hundred, and I think, again, 600-and-some remains, perhaps, high end, could be returned very quickly, and then in full cooperation with Vietnam, a lot more could be done.

Mr. DORNAN. And it stayed that way through the Bush 4 years?

Mr. CHILDRESS. Well, I left. I was with the Bush administration 3 years. I was with Reagan 1981 to 1989. I stayed 3 years with Bush. But my conversations at least with analysts and things that I have seen, it was still at that level at the end of the Bush administration, which would have put it through to January 1993, I guess.

Mr. DORNAN. I considered President Bush a friend. I went to 34, 35 States for him. He was always uncomfortable with this issue. I guess he wasn't at the CIA long enough to ever have this come up. He was there 11 months. His year was Ford's last year. That is during the period that Mr. Ford just said nobody wanted to think about this; there was no active intelligence analysis going on.

I got elected in November 1976. It took me about 7, 8 months to get an appointment alone with the new CIA chief, Adm. Stansfield Turner, who replaced Bush. And I saw him—the date sticks in my mind, for some reason, because I was so offended—August 9, 1977, alone in his office, over at Langley. I said, What are you going to do about this, starting with Eugene DeBruin, a CIA man? He said, We have absolutely no interest in this. The principal intelligence agency of America and the largest in the world, we have no interest in this; I don't know anything about it; it is all over at DOD. And DOD had been telling me for 7 months that this was an intelligence operation, we are basically operations people, we fought the war through 1973, we are out of there. We tried to supply Cambodia under fire, kicking ammunition off C130's right at the end, April 1974. We are out of there now; it is an intelligence function.

No intelligence, Mr. Ford tells us. Stansfield Turner says no interest at all. And I thought, well, is it because you are Navy? If you were an Army man or Air Force—what about Navy pilots still unaccounted for? No interest. Bye-bye. I wasn't a Navy pilot, not my job. And that was it. And then this slow, painful process has gone on now for 19 years.

Mr. CHILDRESS. Mr. Chairman, before we go any further, could I comment on this DCI statement and the hostage business?

Mr. DORNAN. Yes.

Mr. CHILDRESS. I never sought nor received any advice from the gentleman you are talking about, and he didn't volunteer any to me in my 8 years of negotiations with the Vietnamese. But I reported to the President and he sent me out. He would have welcomed me walking in and saying I have got an admission, we got a hostage crisis. President Reagan would have considered it successful if we found someone alive. And the people in the National Security

Council leadership that supported me through that felt the same way.

We were out to get an admission from the Vietnamese or a discovery by intelligence, and I was supported all the way through that.

Mr. DORNAN. Well, it bears mentioning that something just popped in my head. Bill Clark, his chief of staff, told me at one point that President Reagan, every national intelligence briefing, every morning, almost invariably at some point, usually at the beginning, would say: Any more word on POW's in Vietnam?

Mr. CHILDRESS. Exactly. And I had to run across the street frequently with those questions.

Mr. DORNAN. Right. And I don't think that happened with my pal, George Bush, and I am convinced it doesn't happen with Bill Clinton.

Well, let me ask then about these warehoused remains. This testimony to Lester Wolf's Subcommittee on Asian Pacific Affairs was almost a full 2 years before President Reagan was—1½ years before President Reagan was inaugurated. What was your assessment when you came on watch, with all of your Southeast Asian experience, about the 400 figure of processed remains by this ethnic Chinese mortician—who, by the way, is alive in Atlanta, but is in his eighties and given memories and so forth—I was going to go down and interview him, but I would just as soon use his testimony from then that is 16 years old than go back and talk to him a man 82, 83 years old.

Mr. CHILDRESS. Well, interestingly, I was at the Pentagon at the time, in uniform, at an Asian desk when this report first came in, and I had just come back from Thailand where I had gone through refugee camps and heard these reports. I never had any direct responsibility on the issue. When this message came in, I went, Bingo; I talked to people in DIA and had my boss talk to people about it. And Gene Sebagio, as you know, was the interpreter for him. And Gene was down the hall from me in SSA, and I was in SSN. So I told the general, who worked for me, he said they have this request for him to be the interpreter. And I said give it to him right away. So Sebagio came from our directorate over to translate for that particular hearing.

When I went to the NSC, that report was still on my mind. When I took over responsibility for the issue, I went to DIA again and went through it. It was assessed as a credible source and a credible report, not just for processing remains but also the three Americans he saw, yet unidentified, alive in Hanoi.

He processed personally, if I recall, some 280 or whatever that number was——

Mr. DORNAN. Do you recall the year he said he saw those Americans alive?

Mr. CHILDRESS. The year he saw—well, the report—he came out in 1977, 1978. I think he saw them—was after the cease-fire, so I guess between 1975 and 1977. I mean, we would have to go back and look. But he was being credible on all counts, but he personally processed the majority of these, and then there was another 100 or more that he knew, in fact, had been processed as well.

And we had other intelligence reports of crates in various locations that were not associated with the mortician, and these studies and analyses are at DIA, and his story became backed up even greater, of course, by the forensics analysis—just looking at the remains themselves.

Mr. DORNAN. You know or recall that the intelligence community told all of us in Congress—I can't speak for the Senators, but all of us in the House who are most interested in this, please to never use the word "warehoused"; that it would telegraph to them that we have ways to tell if the bones are blackened from being buried in the ground and are decaying at a faster rate than if they had been on a shelf in a dry warehouse and had been processed. Don't ever say that because it tips the hand, and then it went on, I remember at least a year or so, with nobody writing about it in the press. Then it started to leak out in the press.

Then there is the horrible story—I don't know if it was on your watch—of an American pilot whose remains were taken down to the bones and they were all wired together, our bones are held together in some cases by muscles, all wired together so it would look like a skeleton, and it was kept in a hospital, I think in Vinh, down in Row Pak One near the DMZ, and then when they finally got his remains back, taken away from this medical training facility, put back into a casket, they misinformed the wrong family. So the family had to go through all of this agony of thinking about their handsome young hero's bones, his skull, his teeth, being exhibited in a medical facility for years, only to be told, undo all that pain in your heart, it wasn't your son. And I don't even know if they ever did find that family's son's remains. And then they had to go put another family through this agony, and we weren't supposed to talk about that. It was too rough for America, similar to what I mentioned in my opening about the remains of the three members of Durant's crew and the two Medal of Honor winners who tried to rescue them, and did rescue Durant. He owes his life to him.

I didn't mention that for years. I talked it over with Ann: Yes, there are certain things we have to keep private here. This is very painful that a family has a casket buried in the United States with little drill holes in all the bones so the skeleton of their hero could be wired together. There isn't anything that I don't feel like discussing now. This has gone on so long, and it is so bloody painful for the families to be told we know what is good for you. And it bears repeating what I told you, Ann, years ago when Carol Hansen became the first president of the League of Families, one of your predecessors, that a tall, handsome—and I don't forget his name, but I won't say it—a tall, handsome Air Force brigadier general, Steve Canyon-type, told me as a young newsman accompanying the wives or journalists or TV talk show hosts, whatever you want to call me, takes me aside: Well, you're an Air Force fighter pilot; you know, my job is to defend the boss here, President Nixon, and it is my job to pat these families on the head and send them on their way.

And then I remember the first time Carol appeared on my television show in the 1960's. They sent a highly decorated Vietnam experienced gunnery sergeant with her to make sure she wouldn't say anything on my television show that was embarrassing to the

Marine Corps. And when the show was over, I said, Gunny, what are you doing here with Carol Hansen, a helicopter pilot's wife? And he said, Well, frankly, it's embarrassing; she knows more about this issue than I could ever learn, and I don't know why the Corps sent me to watch over her. She is inspiring me. I want to go back and die trying to find her husband, Steven Hansen.

So all these little things have happened that swirl around in my mind over the years, and I want to repeat again these two French pilots, Chiffot and Saudisnex, 77 days, I just worked out, they are missing. Imagine what their families are going through in France right now. This is like the initial agony of every American MIA family now going through 2½ months of not knowing where they are and hearing the French Minister—and it is a French word, “grotesque”—that it is grotesque, the statements coming out of the Bosnian Serbs, and then brings up the nightmare for the families. Have these men been murdered? What were they doing in a hospital at Day 52 when the Bosnian Serbs said they have been kidnapped, we don't know where they are now? And now that is 25 days ago. So this is a real agony, and these could be Americans, given the Scott O'Grady experience.

So let me go to Ann. Ann, these adjectives that we heard come out of the mouths of Senators, diplomats, Deputy Assistant Secretaries, Assistant Secretaries, Secretary of State, Secretary of Defense. Here are some of the words. Carl Ford looked up “significant” for us. Do you think any of these words apply given your arithmetic: One person since normalization on July 12, and six since the trade embargoes were released? Here are the words I am taking from a Senator's mouth: “prodigious progress, prodigious turning over of the information”; “outstanding effort on the part of the Vietnamese.”

Here is the one that comes out of a Republican Senator and Democratic Senators on the trips over there: “unprecedented.” We don't have to look up the words, as Carl did “significant.” Do you see anything that comes under the category of “unprecedented,” “outstanding,” and “prodigious” work in this area?

Ms. GRIFFITHS. Well, the simple answer is no, but I think you already knew that. I think what is more important here, and Congressman Pickett referred to it; that is, when you ask people who don't know the full scope of what Vietnam can do, whether or not the Vietnamese are cooperating, and they refer only to being escorted to places out in the countryside and assisted by local villagers at enormous amounts of compensation, then that kind of support is good. That should continue. We have no problem with that. But I think what is much more important—and they moved the poster before I could refer to it—I read the special national intelligence estimate [SNIE]. I was there when it was tasked. I was there when they did all the DIA analyses. I remember the numbers because those numbers are people, and they were many hundred. And I remember most specifically—and Carl was there at the time in the Bush administration, and we were trying to put together a very direct presentation for the Vietnamese that was going to be handed over in the office of the Under Secretary of Defense, Paul Wolfowitz, with the Director of Defense Intelligence Agency on whose watch this occurred and his people had put together the as-

assessment. We debated over every single word, if you recall, in this document. It was coordinated within the Interagency Group. It was a very strongly worded document, comprehensive, and I think that your staff, Mr. Santoli, has provided this for the committee. But what I would say is that we purposely took out the specific numbers and focused instead on what our Government knew about what they could do and the extent of what they could do.

Now, we did that because we didn't want to make the numbers too low. If we said what the numbers were and they really had more, then we may be precluding accountability for some.

The numbers that were just up there that are not there now, I can't see them, but it was something like 465 to 560. That was the lowest estimate on U.S. intelligence that I ever recall seeing.

Mr. DORNAN. Can you see those now, Ann, so we can get those exact for the record?

Ms. GRIFFITHS. I didn't bring my distance glasses, but the top—what's the top line say?

Mr. CHILDRESS. 465 to 590.

Ms. GRIFFITHS. OK, 465 to 590, that was in 1991. What is the revised figure there?

Mr. CHILDRESS. 435 to 560.

Ms. GRIFFITHS. 435 to 560, that number was effective as of May 1993, and before that was when Mr. Wolfowitz had given the assessment to the Vietnamese but not with the specific numbers. Now, that is the lowest it ever got. So unless there is some sort of clear evidence other than the word of the Vietnamese that that kind of accountability cannot be achieved now, I would like to see the evidence—if there is any kind of evidence that is indicated that accountability on what we have always expected, based on United States Government evidence and assessment—as you know, the National League of Families has stuck by the facts, the facts, the facts. We refused to go along with claims we couldn't prove. We got severely criticized for our position of unwillingness to accept something unless we could see the evidence.

This is what we relied on. This is the evidence of our Government. To come up with what I am seeing now—and you used the words superb and every other—

Mr. DORNAN. Unprecedented.

Ms. GRIFFITHS [continuing]. Superlative in the entire English language about what Vietnam is doing while they are stiffing us on this, is to me unconscionable. So if such evidence exists, we need to be shown it, and again, Mr. Chairman, I would say I ask for declassification of the special national intelligence estimate that these two, particularly Carl, put together. I ask for it. The President of the United States has said that everything is to be declassified on this issue. There have successive Executive orders. There has been law passed and signed by the President. I still do not have the special national intelligence estimate or even its conclusions.

Now, I would like to know why—

Mr. DORNAN. From 1987?

Ms. GRIFFITHS. I requested a Freedom of Information Act [FOIA] on the SNIE.

Mr. DORNAN. Right.

Ms. GRIFFITHS. I was told that it was still classified and it could be appealed. You all have requested declassification of this SNIE. Your committee has, based on the testimony we had in June. You requested it also. You still don't have it. I would like to know why the Director of Central Intelligence has not released that SNIE in violation of Executive orders of the President and congressional law.

Mr. DORNAN. Well, here is an answer for you as of yesterday. CIA told one of my staffers that it is the DIA that is refusing the declassification. They are asking them don't declassify.

Ms. GRIFFITHS. The Defense Intelligence Agency?

Mr. DORNAN. Right, is telling the CIA—is that correct?

Ms. GRIFFITHS. Is it Minihan? Is it General Minihan, who is the new Director of DIA? Are they saying that he is refusing to declassify? Because he was a contributing intelligence—

Mr. DORNAN. Just 1 second, and I will clarify this.

The CIA told one of my staffers that they are willing to declassify it, but they want to declassify everything, and they want the DIA to go along with them and do it all together and that the DIA is dragging its feet. We will find out at some point in the future why because there is this—

Ms. GRIFFITHS. Is it the Air Force general? I am sure you must know him, Mr. Chairman.

Mr. DORNAN. No. It was a lower staffer.

Ms. GRIFFITHS. I mean General Minihan.

Mr. DORNAN. Look, Ann, you have resisted all conspiracy theories over all these years, and so have I. You know that. I have always given the benefit of the doubt, as you have, with the exception of this word naive or buck-passing: I don't want any part of this; what am I doing here? We all went through the Peck nightmare of this tall, handsome, sterling Green Beret, combat-decorated, Silver Star awarded officer who didn't want to be assigned to this and walked in and said, What the heck is going on here? What, are the families the enemy or something? Why can't we give them everything? And that is the question I want to ask you now.

Do you believe the families—and you are certainly entitled to speak for them, as I have just gotten off the presses the American Legion response to this hearing and our ongoing efforts. Do you believe the families want the Government to withhold documents like this new comprehensive review that was supposed to be finished in 45 days? In the spring, they said, oh, definitely by mid-July. And I can only assume it is now finished. Do you think the families want this released?

Ms. GRIFFITHS. Oh, it has been finished. General Wold told us it was finished; the analytical product was finished, at least by July 21, if not before. The concern here is violating the privacy of the families. Now, there is a way to get around that.

What the Congress was asking for here really—in the law that was passed, that is—some clear evidence to indicate whether or not Vietnam is being fully cooperative in obtaining the fullest possible accounting. Now, that is really what you asked for.

This was extended into the case-by-case review. If a family member objects, there are ways, using reference numbers or developing a code of numbers, where those individual analyses can still be re-

leased to the Congress to conduct its business that it is authorized to do in oversight.

The family members also must be given—and I have been told by Defense POW/MIA that they will be given—not only a cover letter but the analytical product of the analyst effort. That also should be done.

But, no, the families don't object. At this point, we have waited so long. We have family members dying every day waiting for our Government to take a serious effort to get unilateral actions from the Vietnamese. And still to this day our Government is not in this administration pushing for them.

We have to have them, or the issue is not going to be resolved. And, still, you look through that summary thing, and I grant you I only got it yesterday, not directly from the executive branch; and not one time is the phrase unilateral action by the Vietnamese in that report that I can see.

Mr. DORNAN. Let me assert something——

Ms. GRIFFITHS. And it is purposeful, Congressman. That is why it is omitted.

Mr. DORNAN. Let me read something into the record at this point from the American Legion. This is from the office of the executive director, John F. Sommer, Jr., and every man in uniform today, or most, will probably end up joining the American Legion. They certainly will if they want to enter politics. He writes to me, in my position as the chairman, dated today, I repeat, 34th anniversary of Kennedy upping the ante from less than 1,000 men to 16,000 going to Vietnam.

It says,

DEAR CHAIRMAN DORNAN: The American Legion deeply appreciates your action in scheduling today's hearing relating to United States and Vietnamese government knowledge and accountability for US Prisoners of War and Missing in Action in Southeast Asia. The inaction on the part of the Clinton Administration and its failure to address this issue—a matter of highest national priority—in an honest and forthright manner, is totally reprehensible.

Now, that is a word that Senator Bob Smith has not used yet. Keep in mind the American Legion did not endorse George Bush for reelection in 1992 as they endorsed him for election in 1988.

"The latest example is the paper released yesterday"—that Ann was just referring to—"purportedly by the Department of Defense, entitled 'A Zero-Based Comprehensive Review of Cases Involving Unaccounted for Americans in Southeast Asia.' This should be the final report emanating from the requirements of the fiscal year 1995 National Defense Authorization Act (Public Law 103-337, section 1034). However, in our opinion"—the opinion of the American Legion—"it is at best a summary document prepared with a political spin to justify the recent actions of the Administration." A summary document prepared with a political spin. Somebody has got to disabuse me of that opinion also. "It is not a comprehensive review of the unresolved cases in Southeast Asia." And this is why I have to politely and forcefully reemphasize that I am going for subpoenas from my Navy captain senior chairman, Floyd Spence, of the National Security Committee.

[The information received for the record follows:]

November 17, 1995

The Honorable Floyd Spence
Chairman, National Security Committee
2120 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Spence:

As Chairman of the Military Personnel Subcommittee, within the context of Committee Rule 12, I am asking your permission to issue a subpoena to the Defense Department for the Comprehensive Review of POW/MIA cases and for witnesses to testify before my Subcommittee at hearings related to these analysts' assessments on November 28. In addition, in accordance with Congressional oversight of the fate of hundreds of military opersonnel still missing in Southeast Asia, I would like to subpoena the members of the Clinton Administration delegation who are scheduled to travel to Vietnam to negotiate the POW/MIA issue based upon this document.

Today is the one year anniversary of the date under federal law, based on the 1995 Defense Authorization Act, the DOD was mandated to deliver the Comprehensive Review to the Congress. They have refused to present the Congress a copy of the unclassified document which is the Defense analysts' assessment of all individual POW/MIA cases. I chaired a November 14 hearing on this matter, at which time the Defense Department forbade the analysts who compiled the document from appearing by calling them "unessential persons."

Worse, the Clinton Administration is sending a negotiating team to Vietnam scheduled to depart on November 29 to discuss the Review with the Vietnamese Communists. The National League of POW/MIA Families, the National Alliance of POW/MIA Families, the American Legion and the Disabled American Veterans believe that this delegation is premature and will attempt to deliver the coup de grace and writte off the MIA issue forever. The families of the missing men and veterans organizations are begging us to obtain subpoenas in order to:

- 1) Direct the DOD to present us the analysts assessments of each case by not later than November 22, one week before the November 28 hearing, so that we have sufficient time to study the case assessments.
- 2) To have present at the November 28 Subcommittee hearing on the Comprehensive Review the analysts whose assessments comprise the review: Gary Sydow, Melinda Cook, Warren Gray, and the Director of the DPMO James Wold.

3) To have present at a November 30 Subcommittee hearing on "Negotiating Strategy with the Vietnamese Based on the Comprehensive Review," those Clinton Administration officials scheduled to lead the delegation: James Wold of DPMO; Kent Weideman of State Department; and Hershel Gober of the Veterans Administration.

Thank you for your assistance in issuing the subpoenas. For 30 years I have attempted to find honest answers for the families of the missing men. I believe that this document and these hearings will contribute to finding those answers and to send a strong Congressional message to the Vietnamese Communists that it is time to fully account for our missing heroes.

Sincerely,

R. K. Dornan
Robert K. Dornan
U.S. Congressman

Wm. F. ...

Sam Johnson

Leo ...

Paul ...

Mr. DORNAN. Ann is taking a quick break. I was just going to ask her to comment on the comprehensive review. We are getting to the end here. Unless Mr. Pickett has a question, I want to come back to you, Mr. Childress. Can the families handle an extensive comprehensive review?

Mr. CHILDRESS. Absolutely. I think a lot of people are afraid of the families and some people are afraid of Ann, but I have found an inverse correlation between the person's knowledge of the issue and their fear.

The families are very realistic. They know that everybody cannot be accounted for. They know there are individual cases. They know that the Vietnamese have stored remains and are continuing to withhold. They know all this. It is not new to them.

But an honest review and an honest dividing up of what is expected, unilaterally, jointly, and what is off the board, and telling them individually to their cases is the honest, clear way to do it. And if it is unilateral action needed with the Vietnamese, it will show up in that case file. And they will expect—I don't care how these people define these summaries. When that family reads the case file and there is evidence of a body that was picked up, or maybe, or stored or anything else, and it is not in that group for unilateral action, that family is going to be demanding for it to go in the unilateral category.

Mr. DORNAN. Right.

Mr. CHILDRESS. And I want to see them try to answer that if, in fact, you get it and we all look at it and come to a different conclusion than they did in their summary.

Mr. DORNAN. Here is what causes intense pain for the families. You never know what quarter it is coming at, and it feeds conspiracy theories. In this anteroom here—and I am going to ask Mrs. Davis, Ginger Davis, from this case 1600, the AC130 gunship, April 20, 1970, shootdown. She had one of her handsome sons with her, and it was the afternoon of the funeral. I believe it was last Thursday, the funeral of these unidentified, they claim, 10 remains. You could hold all the remains in both your hands, and they are in this one casket for this mass grave, and one of her handsome sons tells me that some mortuary person came up to him with a finger in his face—this is a man who was a tiny child, 1, 2, 3 years old when his father was shot down, and pointed in his face and said, "Your father's dead and you're never going to prove otherwise," or words to that effect, "Accept it." And he is a very strong-looking young man. He says, "I resisted decking this guy."

Now, why should a family member be put through that? And I said, "Was he in uniform?" No. And we still haven't been able to track down what group this person represented or if he is just one of the mortuary people. You know, get used to it, or you are not going to prove otherwise. Accept it, accept it.

And this family, the Davis family, and a lot of other families from that 11-person crew, with a survivor, Eugene Fields, and other cases, including one of my wife's good friends on active duty, and my friend, bridge partners, checked out her husband in the F100, David Hrdlicka, this slow leaking out—it is not even leaking; leaking indicates somebody let it out. This capturing of documents slowly over 30 years, to still be learning things about the Hrdlicka

case in 1995 is totally unnecessary. And this is what my friends in uniform or ex-uniformed people in civilian clothes in the Pentagon have to understand. You create agony for some of these families, feed the conspiracy theories by being overly protective or not understanding of what some of these families are going through; and going all the way back to the late 1960s when I first met Carol Hansen and took four wives around the world with money, cash that I raised, and ended up—and this is significant—ended up locked up in a deserted Aeroflot hotel in January 1970, 27 degrees below zero—it is getting like a mantra for me—10 inches of snow cover, young Bill Clinton was in town at 23 years of age. I was flying F100's and combat ready at 23 with the third child on the way. He was ditching all of his classes at Oxford. He was in Moscow at the best hotel in town, the National. This is before all these recently built hotels, built in 1910 under the czar. You know it was the best hotel in town then. And he is there for a dinner, January 2, 1970, for them to thank Eugene McCarthy in his 12th and final year as a Senator, otherwise a fine Catholic gentleman. They are being rewarded for their efforts in the fall offensive, titled by Hanoi, the same Communists we are dealing with now. The fall offensive was not a peace movement effort. It was an effort that was pro-Viet Cong, pro-Hanoi, pro-war, pro-victory for communism over Vietnam, Laos, and Cambodia. And I am locked up in an airport with Carol Hansen. They are all friends of yours: Pat Mirns, whose husband went down in an F105 over Hanoi; Pat Hardy, whose husband was the No. 1 F4 backseater of the month, about to be upgraded to the front seat, an Air Force Academy guy that left in the last year to marry Pat Hardy and went off to Stanford and graduated at the top of his class, carrying 30 units—I never heard of that—so he could graduate in June with his class from the Academy; and Connie Hessell, a black American lady whose husband, Roosevelt Hessell, was the commander of the academics at the gunnery school at Nellis, and didn't have to go to Vietnam, he had fought his wars, and begged to go over there to join the young men he trained for a couple of years, and he was lost in an F4 Phantom.

This is a long, painful process, and the Pentagon has to understand that they must not allow themselves to be politicized by the 23-year-old man that was in Moscow being rewarded for what I said on the House floor: sustenance, help, aid, comfort—quote it any way you want. He was helping not a peace effort but a Communist victory in Hanoi. And it politicizes this whole stinking process, General Wold, from the top down to you, an honorable Air Force combat officer. You must not allow yourself to be politicized by Clinton. There is a hidden agenda here. Whether it is deeply psychological or otherwise, he doesn't know if he is going to have a second term. He was determined to normalize relations with the Communist victors in Indochina. He was determined to do that any way he could. And he has manipulated even Republican Senators to get it done.

It is a disgraceful story, General. Disgraceful. You must fall on your sword. You must quit your job if you even suspect you are being politically manipulated to further torture and harm these families psychologically. And that goes for my pals who I deeply respect at the CIL in Hawaii that we will hear from later today.

If you don't have any final statements, then we will go to the next panel, and I repeat what I said at the end, Ann and Dick and Carl. We are going to continue doing this. And I have yet to sit down and go over everything with Bob Smith, my good friend that I served with for 6 years in this House. But I read his statement driving around coming back from that Medal of Honor winner's grave yesterday, and I see statements to Carol Bates, who I met when she was 16, who was a witness when I referred to this Montegnard bracelet on February 7, 1970, as a POW bracelet, and she and Kay Hunter and others walked up and said, How do we get a POW bracelet? And it is not 10, it is 13, 15 million of these have been worn around this country because of this bracelet, and Carol Bates was a teenager, and here I see letters written to her 7 years after that, so she has got to be like 23 or 24 years of age, from Michael Oxenberg—I don't even know who he is—saying I have just talked to Carol Bates, administrative assistant of the league. This is March 15, 1977. She indicated to me that a letter from you might enable her to help prevent the convening of a meeting and/or press conference by the league that would blast the effort before the commission returns home with its report, the Woodcock Commission. Then it says, We had better be careful that we don't turn off the league. Maybe they believe it is simply a ritualistic effort to attain an accounting with President Carter already having decided that he will accept whatever Vietnam give us as sufficient to justify movement toward normalization.

Carter wanted to do, General Wold, what Clinton was driven to do, to psychologically close the loop of his triple draft dodging. Don't you people in uniform see what is going on here? Don't you grasp the essence of what a disgrace this is to every young man that we are going to ask to put his life in harm's way in Bosnia? Let's get with the program here and put some honor ahead of this.

I asked John McCain's father, Why didn't you quit? Same thing I asked Adm. Ulysses S. Grant Sharp, CINCPAC, sending these men like Frank Elkins with the heart of a decent patriot in the war here to try and bring freedom as their fathers and uncles had done to France twice before. I said, Why didn't you fall on your sword? And Admiral McCain gave me the same answer that Ulysses S. Grant Sharp did. And it is an interesting one. Neither one had compared notes, I guess. He said, I was afraid I would be replaced by someone weaker than I and that more men's lives would be squandered.

What we needed was somebody like Danny Graham, who took off his uniform for Schlesinger, and then Schlesinger laughed at him. I said, Why did you do that, quit over me being slighted in favor of Kissinger? But Danny Graham has been dying of cancer now. He has been a Paul Revere for his country on strategic defense because he had had it. He couldn't go any further. He was head of DIA. And he said this is disgraceful what is happening, letting Schlesinger go when he was telling the truth over at Defense.

So it is about time that some military people who have knowledge, not like Colonel Peck who went out on a bad note on a wonderful career, but who have knowledge of all this, say it is being politicized and I can't stand it and I am out of here, and let us come to this disgustingly overused word of "closure" for all of these

families who are tough, realistic, and just want the truth and some dignity, so that on Veterans' Day or Memorial Day they can go to the grave with their hero or pass on something to their grown sons and daughters now of some shred of dignity to this effort in Vietnam that in my mind is no different than Korea and no different than World War II and no different than my dad's war of World War I. All of them efforts to fight tyranny, whether it was Fascist or Communist—ugly killing and tyranny, and the human rights violations that still go on in Cuba, in China, in North Korea, and all over Vietnam and Laos and Cambodia, human rights violations.

If you don't think we live in a disgusting period of history, look at this party at Mort Zuckerman's house for another war criminal, no different than General Jopp, Fidel Castro, who has personally murdered people. We are all disgusted by the L.A. jury verdict on O.J. Simpson. He killed two people. We know he did. He slit the throats of two people. Castro has killed thousands. And there he sits with Dan Rather giving him a baseball bat, the Canadian Jennings groveling, Diane Sawyer, Nixon's chronicler, a billionaire named Tisch, Lawrence Tisch, the head of CBS. These people treating a war criminal to a cocktail party in a millionaire's penthouse apartment over Fifth Avenue.

We live in a very squirrely world, and I thought of it yesterday at the grave of Randy Shughart that this little flat stone in the middle of nowhere in Pennsylvania, 3 miles from Carlisle Barracks, the oldest U.S. Army facility in this country, and that is all that will be there, is just this little Medal of Honor engraved in his stone.

No, no, I am not letting go of this, and wait until Bob Smith and I get together and compare notes, because he wants me to put into the record—and I might as well do it at this point—his statement that he submitted for the record that is comprehensive and extensive and impressive. Look at this, Ann. This is all the lists of names, stuff for this committee from the chairman of a readiness committee on the other side of the Hill, the north side. He gives me this statement to make part of the record here.

[The prepared statement of Senator Smith follows:]

STATEMENT BY U.S. SENATOR BOB SMITH
ON UNACCOUNTED FOR VIETNAM-ERA
AMERICAN POWS AND MIAS

SUBMITTED TO THE HOUSE NATIONAL SECURITY
SUBCOMMITTEE ON MILITARY PERSONNEL

ON NOVEMBER 14, 1995

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Louie lived his entire life in Newmarket, NH, and he shared his last 46 years with his wonderful wife, and my close friend, Lois. Together they had seven children, Judy, Jeanne, Janie, Joanne, Janet, Jill, and Louis. For those 46 years Louis also owned and operated a small business side-by-side with Lois. "Beaulieu and Wife Auto Towing and Salvage" was the name Louis gave his business, illustrating his clever wit and unpretentious personality.

Louis left his hometown of Newmarket to serve his country during World War II in the U.S. Army. He was stationed in Bremen, Germany where he was in the counter intelligence corps as well as a French language interpreter.

Louis' patriotism and sacrifice for freedom was further exemplified by his membership in the American Legion and the Veterans of Foreign Wars.

He served his community as a member of the Newmarket Lions Club and the Newmarket Historical Society, and tirelessly devoted his energy to the Amos Tuck Society, New Hampshire Right to Life, Gun Owners of New Hampshire, the National Rifle Association, the National Federation of Independent Business, the National Chamber of Commerce, and the Portsmouth Chamber of Commerce, and, of course, the campaigns of BOB SMITH as Congressman and Senator.

Louis was a hardworking small businessman, a devoted husband and dad, a veteran, and a dedicated community leader. Louis was also a bedrock conservative and was one of the first people who supported me back in the early days when it was "Bob who?" Lois and Louis were both confident that I would win a seat in Congress and bring our brand of Yankee conservatism to the ways of Washington. Without their efforts, I would not be serving here today in the Senate realizing my dream—and theirs.

Louis did it all—he made signs, passed out brochures, raised and gave money, attended rallies, hosted events, and campaigned tirelessly for me over the years—always with his wife, Lois, at his side. He did it all with humor, grace, and sincerity and he never asked for anything in return. He was the essence of everything good about America, and everything good about politics. He cared, and he worked tirelessly to make America a better country. And he succeeded in doing just that.

When we lost Louis, we lost a true American patriot, and a very special man. Lois lost a devoted husband, the children lost a wonderful father, and I lost one of my best friends.

I will miss my friend very much. Without the sacrifices that Louis made on my behalf, as I said, I would not be here in the U.S. Senate.

I will do my best in the remaining years that I serve here to strive to remain worthy of the faith, trust, and confidence that Louis Beaulieu had in me, and I will continue to work for the

same values and the same principles that Louis so long espoused. In so doing, his legacy will live forever.

Louis Beaulieu, "thanks for the memories", and the friendship.

Madam President, I ask unanimous consent that a tribute written about Louis' wife, Lois, on the eve of his passing be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE LEGACY OF LOUIS BEAULIEU
(By Lois Beaulieu, March 25, 1995)

My Louis is a legend in his time; he left us a legacy of hope, love, patience and perseverance. And he planted so many seeds in us all. They will be nurtured and grow with his memory and his spirit which is all around us and will live forever.

Louis goes far and wide, deep and lasting in our memories and our hearts forever.

Family, friends and loved ones are being cleansed and there is a healing process so miraculous he would be proud.

He was a good husband, father and friend to all who knew him.

Our life together was a beautiful adventure in all we did together. We laughed and loved and cried but always together, good and bad, mostly all good. The memories—oh so many memories—he left with us all.

God, thank You for our 46 years together. I know we will belong to You and someday You will call us home to be with You and Louis.

Thank You God for our seven beautiful children: our Judy, Jeanne, Janie, Joey, Janet, Joanne, and Jill. Our seventeen grandchildren: Laura, David, James, Jason, Joshua, Javelle, Jamie, Jennifer, Jeremy, Shelby, Mark, Joseph, Jayce, Manzy, Joel, Jacob and three great-grandchildren that Louis lived to see and hold and rock: Lucas James, Sadie Anne and 3-week-old Sarah Beth. Oh Louis loved his family.

He was a proud man and so proud of his big family and bragged about them all the time.

So proud of his business, Beaulieu and Wife we built from the bottom up. He was a great worker, a great lover, a great father, grandfather and great grandfather and—yes—evco Santa Claus.

He was also a great friend and pal and buddy to all who knew him.

He loved life, he loved living, he loved working, and he loved his wife and family.

Louis loved his God and Savior Jesus Christ. He is truly a legend, a one of a kind. He is imbedded in our hearts forever. His spirit is alive and well and we feel his presence always around us.

Au Revoir, my love, your wife forever and ever—until we meet again—Lois.

Mr. SMITH. Thank you, Madam President.

✓ PRESIDENT STONEMAN ON AMERICAN POW'S AND MIA'S

Mr. SMITH. Madam President, I want to turn to a subject that has long been an area that I have worked on over the years, and I have come to the Senate floor today to report to my colleagues and to the American people on what I consider to be a very disturbing track record by the administration on the issue of unaccounted for American POW's listed as missing in action.

Many of my colleagues are well aware of the deep concern that I and

others have had on the POW/MIA issue as a result of some of the previous debates we have had in the Senate concerning United States policy toward Communist Vietnam. But I do not think some of my colleagues or the American people are generally aware of the extent to which this administration is continuing to stonewall and drag its feet in efforts to resolve key questions on this POW/MIA issue. Although the administration's rhetoric might suggest otherwise, the facts show that many leads which could resolve the uncertainty of our missing are not being pursued with vigor.

That is a sad statement to have to make, Madam President. But it is true. And in some very important areas information is deliberately being withheld from Congress in addition to information still being withheld by Communist countries abroad.

This is an outrage, Madam President. It is bad enough that Communist countries are still withholding information about the remains of our servicemen after all these years. But when our own Government deliberately withholds information that would shed light on this issue, it is especially outrageous. It is a very serious comment to say that our own Government is deliberately withholding information. But I am going to prove that on the floor of the Senate as I continue my remarks, because of the administration's actions and inactions which I shall explain in detail in a few moments.

Communist Vietnam, Communist Laos, Communist North Korea, and Communist China are all being left off the hook on key questions regarding missing American servicemen and women.

As a Vietnam veteran who served this country in the United States Navy, and as a member of the Senate Armed Services Committee, I find the administration's track record on this issue deeply offensive. I am going to explain why. But before I do, I think it is important for people to have a perspective of where I am coming from on this issue.

Many of my colleagues have worked on this issue in the past. Many are familiar with some of the things that I have done. I do not think I would be presumptuous if I said that I considered myself to be somewhat of an expert on this issue. I have worked on it for 11 years. Before coming to the Senate in 1991, I spent 6 years in the U.S. House of Representatives where I was a member of the POW/MIA Task Force, and there I worked to get access to my own Government files that they had in their possession to the families of the missing.

When I came to the Senate in 1991, I introduced legislation which ultimately formed the Select Committee on POW/MIA Affairs. Along with Senator KERRY, I cochaired an 18-month investigation by this committee which sunset at the end of the Bush administration.

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Our work has been criticized, and some of that criticism is justified. However, I do not think anyone would dispute the fact that our committee played a pivotal role in helping to open many of our Government's files on the POW/MIA's from the Vietnam war. We held numerous hearings, deposed hundreds of witnesses, and learned a great deal about policy decisions that were made on the POW/MIA issue at the end of the Vietnam war.

I am convinced that our work on that committee forced the Government of Vietnam to do more than to resolve to the issue, and, although I am not convinced that Vietnam has done enough, obviously, it did move them and our own Government in the right direction.

Our committee also helped jump start the establishment of a joint commission with Russia which has been researching cold war shoot-downs along with the plight of the Korean war and the Vietnam war POW/MIA's.

I know my colleagues would agree with me that our Government owes just as much to the families from those wars as they do to the Vietnam families.

The Korean and cold war families have been forgotten, Madam President.

I have traveled to Russia on two occasions to hold talks on this issue. I was the first United States Senator to travel to Pyongyang, North Korea, and I went there for the sole purpose of discussing POW/MIA's. In fact, I have been to North Korea twice to discuss this issue. I brought back 11 remains of our servicemen on one of these trips from Korea.

Finally, I have been to Vietnam five times in the years that I have been in Congress, and two of those trips were with Senator JOHN KERRY of Massachusetts.

I point all of this out not to draw to attention to my efforts—I do not want any attention drawn to my efforts—but to underscore that when there is an attempt to dupe those of us here in the Congress by the administration on information, I do not intend to be duped. I continue to follow this issue closely. I know what the President has done, and, more importantly, I know what he has not done. And he knows that I know what he has not done.

When the Senate Select Committee on POW/MIA Affairs sunset in January 1993—and I might add we had to fight for the funding just to keep it going that long—we stated the following in our final report:

With this final report, the committee will cease to exist, but that does not mean that our own hard work on this issue will also end. To the extent that there remain questions outstanding that are not adequately dealt with by the Executive Branch, we will ensure that these questions are pursued.

Let me now explain those issues that are not being adequately dealt with by the executive branch, in my judgment. I have here a chart. This is a summary of several POW/MIA-related provisions from last year's National Defense Authorization Act.

I want the American people to know that this act was signed into law by the President of the United States, Bill Clinton, on October 5, 1994. It is the law of the land. This is not BOB SMITH's opinion. This is not a congressional resolution. This is the law of the land signed October 5, 1994.

And these POW/MIA provisions that were in this bill right here, those provisions had bipartisan support in this Congress. And, as you know, in 1994 it was the other political party who controlled the Congress. So that further exemplifies the bipartisan support of this legislation.

When something is signed into law by the President, the administration has a responsibility to adhere to it—it is the law—not in a manner that they deem appropriate, but in the manner prescribed in the law. It is now a year later. It is October 1995, 1 year since this law, the Defense Authorization Act, went into effect. I think it is appropriate for us to review whether the administration has fully complied with that law.

Section 1031 requires the Defense Department to assist Korean war and cold war POW/MIA families seeking information about their loved ones. Specifically, the Secretary of Defense was required to designate a point of contact for these families that would assist them, the families, in obtaining Government records on their loved ones and ensuring that these records were rapidly declassified.

This past week I received the following letter from the Korean Cold War Family Association of the Missing concerning the Defense Department's compliance with this law. I want to read it into the RECORD because it is very disturbing.

[Dear Senator SMITH:]

In response to your letter of today's date, I shall herewith attempt to answer in what manner the Defense Department has complied with Section 1031 (right here) of last year's National Defense Authorization Act by the numbers.

1. Establish an official to serve as a single point of contact for immediate family members of Korean Cold War MIA/POW's.

That is one of the provisions:

In October, 1994 our association began our requests from the DPMO (or the office of POW/MIA's in the government) to name our Single Point of Contact. Jim Wold (who heads that office) insisted that as the Director of DPMO he was automatically our Single Point of Contact. Once we convinced Mr. Wold that it was feasibly impossible for him to act as such, he agreed to appoint a suitable person. In the first quarter of 1995 we were informed Dr. Angelo Collura would serve as our Point of Contact along with two assistants and at that time were given his phone number. Our ability to reach Dr. Collura by phone has been sporadic at best. On too many occasions, when we were finally able to contact Dr. Collura for follow up to previous requests, Dr. Collura stated he was not able to follow through on questions because he was "pulled off Korean Cold War to work on Vietnam War."

2. To have that official assist family members in locating POW/MIA information and learning how to identify each information.

We were told explicitly that it was up to the families to locate the information ourselves because 1. DPMO was not tasked to do it and 2. DPMO did not have the assets to do it. So obviously we have had no assistance in this. When questioned on the matter, we were referred to the DPMO contract with the Federal Research Division of the Library of Congress. This contract was for the FRD to "gather, copy and deliver to DPMO" documents pertaining to Korean Cold War POW/MIA held in U.S. archives and agencies. As of July, 1995 20,000 pages have been gathered, copied and delivered to DPMO for families to review. There has been no effort to forward specific case pertinent information to the individual families because no one in DPMO is tasked to do so. This haphazard, certainly overly expensive, redundant method of research was DPMO's intent to comply with an entirely separate section of law. Do we feel assistance has been provided?

3. To have that official rapidly declassify any relevant documents that are located? Dr. Collura stated it was not his job to declassify documents and he was getting no cooperation from the section of DPMO whose job it was to declassify documents. "They are too busy with Vietnam," or "DPMO can get no cooperation from the agency which originated that document." To date I know of no documents which have been declassified by our Single Point of Contact.

They go on to say, in conclusion:

Can you tell me what they do other than to spend over \$13 million annually ignoring not only the spirit of the laws passed but the very laws themselves? Surely a private business, contracted for half that amount of money, could comply with all the sections of the 1995 Defense Authorization Act pertaining to POW/MIA's and getting information to the families.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

KOREAN COLD WAR FAMILY
ASSOCIATION OF THE MISSING,
Coppell, TX, October 23, 1995.

Senator BOB SMITH,
400 DINO CARLUCCI.

DEAR DPMO: In response to your letter of today's date, I shall herewith attempt to answer in what manner the Defense Department has complied with Section 1031 of last year's National Defense Authorization Act by the numbers.

1. Establish an official to serve as a single point of contact for immediate family members of Korean Cold War POW/MIA's. In October, 1994 our association began our requests for DPMO to name our Single Point of Contact. Jim Wold insisted that as the Director of DPMO he was automatically our Single Point of Contact. Once we convinced Mr. Wold that it was feasibly impossible for them to act as such, he agreed to appoint a suitable person. In the first quarter of 1995 we were informed Dr. Angelo Collura would serve as our Point of Contact along with two assistants and at that time was given his phone number. Our ability to reach Dr. Collura by phone has been sporadic at best. On too many occasions, when we were finally able to contact Dr. Collura for follow up to previous requests, Dr. Collura stated he was not able to follow through on questions because he was "pulled off Korean Cold War to work on Vietnam War."

2. To have that official assist family members in locating POW/MIA information and learning how to identify such information. We were told explicitly that it was up to the families to locate the information ourselves because 1.

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DPMO was not tasked to do it and 2. DPMO did not have the assets to do it. So obviously we have had no assistance in this. When questioned on the matter, we were referred to the DPMO contract with the Federal Research Division of the Library of Congress. This contract was for the FRD to "gather, copy and deliver to DPMO" documents pertaining to Korean/Cold War POW/MIA held in U.S. archives and agencies. As of July, 1995 2000 pages had been gathered, copied and delivered to DPMO for families to review. There has been no effort to forward specific case pertinent information to the individual families because no one in DPMO is tasked to do so. This haphazard, certainly overly expensive, redundant method of research was DPMO's intent to comply with an entirely separate section of law. Do we feel assistance has been provided? No.

3. To have official rapidly declassify any relevant documents that are located? Dr. Collura stated it was not his job to declassify documents and he was getting no cooperation from the section of DPMO whose job it was to declassify documents. "They are too busy with Vietnam," or "DPMO can get no cooperation from the agency which originated that document." To date I know of no documents which have been declassified by our Single Point of Contact.

Also, I still do not know what our Single Point of Contact, Dr. Collura does other than to be "pulled off the Korean/Cold War POW/MIA's to work on Vietnam War POW/MIA's", but then after three years of DPMO, I still do not know what DPMO does. Just today I was told by DPMO that it was not a central point of documentation for POW/MIA's. Can you tell me what they do other than to spend over \$13 million annually ignoring not only the spirit of the laws passed but the very laws themselves? Surely a private business, contracted for half that amount of money, could comply with all the sections of the 1995 Defense Authorization Act pertaining to POW/MIA's and getting the information to the families.

Again, thank you for your assistance. Without your help, the men and their families would still be in the limbo of 1954. Please see attached final form letter sent to all the families.

Most sincerely,

PAT WILSON DUNTON.

— President.

HEADQUARTERS, U.S. AIR FORCE,

Washington, DC, April 16, 1954.

Mrs. GERALDINE B. WILSON,

MacDill Air Force Base, Tampa, FL.

DEAR MRS. WILSON: Reference is made to the letter from General McCormick notifying you that the missing status of your husband has been terminated. In order that you will have all the information presently available to us, I would like to advise you regarding the possible recovery of his remains for return to the United States.

The truce agreement reached with the Communist forces provides for certain activities in connection with the recovery of remains of our honored dead from Communist-held territory. It also provides that the specific procedures and the time limit for the recovery operation shall be determined by the Military Armistice Commission. Until the necessary arrangements for the operation have been completed, we will not know when recovery and return of remains can be initiated.

I appreciate the anxiety you are experiencing, and regret that no information other than that which has now been furnished you is available at this time. You may be sure, however, that we will notify you immediately when further information becomes available.

If I may assist you with any unusual problems or circumstances regarding the above matter, please do not hesitate to contact me. Correspondence should be addressed as follows, to insure prompt delivery to my office: Director of Supply and Services, Attention: Mortuary Branch, Headquarters, United States Air Force, Washington 25, DC. Please accept my sincere sympathy in the great loss you have sustained.

Sincerely yours,

L.F. CARLBERG,

Colonel, USAF.

EXECUTIVE SUMMARY

The Secretary of Defense established the Defense Prisoner of War/Missing in Action Office (DPMO) in July 1993 to provide centralized management of prisoner of war/missing in action (POW/MIA) affairs within the Department of Defense. Creation of the office brought together four disparate DoD offices that had been working in the POW/MIA arena for varying amounts of time.

In August 1994, the Director, DPMO, on his own initiative, requested an evaluation of his office by the Deputy Assistant Inspector General for Program Evaluation (PED). We focused our initial work on assessing the processes that provide definition, direction, and structure for the organization. We found that well developed processes in these areas were not yet in place. Specifically, we found that: basic missions and tasks were not well defined or communicated within the organization; no strategic planning process was in place; and the organizational structure was turbulent, poorly defined, and not consistent with current policy guidance regarding organizational layering.

After documenting these observations and providing a briefing to the Director in December 1994, we redirected our work to provide constructive suggestions on defining mission and tasks, establishing a planning process, and structuring the organization at the DPMO. The results of that work are presented in this White Paper and summarized in the paragraphs that follow.

DEFINING MISSIONS AND TASKS

In defining its missions and tasks, the DPMO faces challenges posed by the broad nature of its charter, the different institutional backgrounds of the office's components, and the divergent nature of its internal and external clients. Overcoming these obstacles first requires recognition of the conflicting perspectives that clients and components bring to bear on the operations of the agency. We suggest putting together a specific statement of the organization's purpose and translating it into some general goals as a way to produce awareness of where groups differ on attacking a common problem. This process can also contribute to communication and help foster commitment to the goals that are ultimately established. Only the members of an organization can validly formulate its goals, and the process should incorporate a wide range of input and discussion. However, we do provide some illustrative general goals for DPMO to facilitate our discussion. We recommend finalizing the draft instructions on Missions and Functions as a good vehicle for documenting the results of this effort.

STRATEGIC PLANNING

Carrying out the missions and tasks established by the DPMO means setting up a good planning process. This involves translating the established purposes into more specific objectives or initiatives. Formulating these specific objectives should take into account the internal and external environment and attempt to identify strengths and weaknesses of the organization. The process

should also account for the resources needed to reach the objectives and determine ways to measure progress towards achieving objectives. We point out the strategic planning guidelines set forth in the Government Performance and Results Act and urge the DPMO to adopt this model. We suggest that planning efforts should start small and need not wait until full developed strategic plans are in place. We also recommend that the organization adopt performance measures that are simple to apply and linked to the budget process.

ORGANIZATIONAL STRUCTURES

In our discussion of organization structure, we recommend that the DPMO refrain from any ad hoc structural changes until it makes a more systematic assessment of its organizational needs. We analyzed three general alternative ways to divide the work and the assignment of responsibilities and authority in the DPMO:

Alternative 1: The Current Structure With Well Defined Mission and Tasks.

Alternative 2: A matrix-type structure using task forces for specific activities.

Alternative 3: A structure that allocates a significant portion of the work load and responsibility structure by geographic region.

Criteria we present for analyzing structures include clear lines of authority and responsibility, decentralization where possible, and congruence with the strategy of the organization. In formulating the alternatives, we assume that all current functions will remain with the DPMO. The description of each alternative includes any assumptions made concerning the work processes at the DPMO. We believe the alternatives presented are viable alternatives for consideration, in whole or in part, but only those more familiar with the organization can validate our assumptions. Accordingly, we make no specific recommendations on the structure most appropriate for the DPMO.

CONCLUDING REMARKS

In concluding, we recognize the difficulty in setting aside time for such process building. However, in our experience, without the strong leadership that such actions require, the organization will continue to experience difficulty in justifying its resource requirements and completing the assigned mission.

CONCLUSIONS

Like building a ship while under sail, it is not easy to meld disparate organizational entities together while faced with multiple operational demands. However, that is the challenge faced by the DPMO. Our initial research at DPMO led us to conclude that the organization lacked (1) well defined missions and tasks, (2) a planning system to see that major goals were accomplished, and (3) a stable organizational structure that supported effective management.

To assist the office in tackling these areas, we outlined methods that we believe will help the organization define its mission, establish a planning system, and structure its organization. We recognize the difficulty in setting aside time for such process building. However, without the strong leadership that such actions require, the organization will continue to experience difficulty in justifying its resource requirements and completing the assigned mission.

Mr. SMITH, I think the letter certainly sums it up, Madam President. The bottom line is, on section 1031; did the administration comply? The answer is, no, they did not comply. Not only do they not comply, they indicate they have no intention of complying, that they cannot comply, they do not have time to comply.

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You have to remember, Madam President, I would point out to you, as one who has worked very closely in constituent services as a Member of the House and Senate, this is not your typical bureaucrat runaround where somebody is trying to find out what happened to some particular thing in the Government or trying to get to the right agency: These are families who lost loved ones, who lost loved ones in the service of their country, and to get that kind of a runaround from people who are told to comply with law is disgraceful.

Let me turn to section 1032. This requires the Secretary of Defense to recommend changes to the Missing Persons Act within 6 months; that is, by April 5, 1995. This is an act from the 1940's that allows the Defense Department to declare that servicemen who became missing in hostile territory are automatically dead after 1 year if no information surfaces indicating who they are.

Senator DOLE, Senator LAUTENBERG, Senator LIEBERMAN and I sponsored legislation to correct this. However, I wanted to allow the Secretary of Defense, to be fair, a chance to submit his own recommendations that we could then work out and reconcile with Senator DOLE's legislation and the Armed Services Committee. I did not try to say I had all the answers. I knew we had problems. We wanted to work it out.

Did we get the report by the end of the 6-month period? The answer is, no, we did not. We did not get it until the end of June, 2 months late. It was obvious the Defense Department made no serious attempts to consult with Members of Congress before submitting what turned out to be an inadequate report. Their delay in submitting the required report has pushed back our own timetable in reviewing this matter. As a result, it remains one of the outstanding issues in the current conference committee deliberations on the fiscal year 1996 Defense Authorization Act.

Congressman DORNAN in the House has worked tirelessly to revise the Missing Persons Act. I want to compliment him for his work. He recognizes the seriousness of this issue, especially as Congress, as we speak, considers sending 25,000 American servicemen into Bosnia, and the White House is leading that effort.

Madam President, we have memos from the Carter administration between President Carter, Secretary of Defense Howard Brown, and National Security Council staff which show in clear terms how the Missing Persons Act was abused, clearly abused, to satisfy other political and foreign policy agendas. There are always other items that move to the surface and push this down. As a result, many Vietnam-era POW/MIA families endured a great injustice as their loved ones were simply written off as dead. These memos clearly

show why the law needs to be reformed.

I ask unanimous consent that these memos that I have printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SMITH. To sum up on section 1032, Madam President, the record clearly shows that the required report was not submitted by the required date. The administration did not comply. So, again, regrettably the answer is "no" again to the law which was supposed to be complied with in April 1995.

Section 1033 urges the Secretary of Defense to establish contact with the Communist Chinese Ministry of Defense officials on Korean War American POW's and MIA's.

Madam President, we have learned, through declassified CIA documents and through documents obtained from Russia, that the Chinese have a wealth of information—a wealth of information—on missing Americans from the Korean war. In fact, the North Koreans told me that when I visited them in Pyongyang in 1992, they made a point of telling me. They showed me books. They showed me photographs of the camps. And in those photographs, in those books, were Communist Chinese guards.

The North Koreans said, "Senator, we know you're here in North Korea looking for information on American POW's. You ought to talk to the Chinese because they were the ones that ran the camps. They were the ones who packed up the American prisoners and took them across the Yalu River when General MacArthur pushed north."

So, Madam President, section 1033 deals with just that matter that was signed into law on October 5, 1994. Three weeks later, the Secretary of Defense—this is ironic, but 3 weeks later the Secretary of Defense, Dr. Perry, was dispatched to Beijing—not for this issue but another issue more important, more important than this one—where he held high-level meetings with, you guessed it, the Communist Chinese Ministry of Defense officials.

So when Dr. Perry returned, I was excited. The law had passed. It was fresh to their minds. Dr. Perry had been to Communist China meeting with these officials. So I sent him a note and asked him if he raised the subject of unaccounted for Americans held by the Chinese on both sides of the Yalu River during the Korean war. I waited. I never got an answer. Several weeks later, I was informed by a low-level bureaucrat, much to my chagrin, that the subject never came up, never discussed. I was hoping I could say, "Did we get any leads on some information?" The subject never came up. In fact, as far as I know, Dr. Perry was not even made aware of section 1033 by his defense POW/MIA office at the time. After all, we saw the letter to the families. They are not interested. They are not interested.

More than 40 years have passed, Madam President, 40 years, and we still have yet to hold any substantive discussions with the Chinese on missing Americans from the Korean war. Forty years. The families wait.

Just a few weeks ago, I was contacted by the daughter of an American pilot shot down over China—not Korea, China—in the 1950's. Intelligence indications are that the Chinese captured the pilot. He was never heard from again.

What is President Clinton waiting for before he decides to approach China on behalf of the family of this man? How many more years do they have to wait before somebody simply asks the Chinese what happened to him. How many more years? Is that too much to ask? When the Secretary of Defense goes to China for high-level talks, is it too much to ask the Chinese what happened to that pilot that we know was shot down? That is what the Congress recommended. That is what the Congress urged by passing section 1033.

So again I must check the "No" box. Again we come up short. Again the President ignores the law. Again the families wait and wait and wait. No one cares. We do not have the assets. We do not have the resources. We do not have the time. We do not have the interest to be bothered with finding out what happened to that pilot in 1950, do we? Too many other important things to do. Is there not?

This is a terrible message for the President who is about to send and wants to send 25,000 more Americans who wear the uniform today into Bosnia—25,000 more Americans into Bosnia, and he cannot ask his Secretary of Defense to ask the Chinese if they know what happened to this pilot and others. I am not holding the President to a standard he cannot meet. I am not asking the President to say absolutely bring him back alive or dead or bring back information. I am asking him to ask the Chinese what happened to him. That is all I am asking.

Section 1034—another section of the law—requires Secretary of Defense to provide Congress within 45 days a complete listing by name of all Vietnam era POW/MIA cases where it is possible Vietnamese or Lao officials can produce additional information.

I am going to skip this section for just a moment because it pertains to Vietnam, and I wish to finish covering the two sections on the Korean war. However, even though I am going to skip it, as you might expect, we are going to check the "No" box here, too, because they have not complied with that either.

This is perhaps the most disturbing affront to Congress, the Vietnam portion, but I will get back to that in a moment.

Let us go to section 1035. This requires two reports to Congress on U.S. efforts to obtain information from North Korea on POW's and MIA's.

"Do the reports show any progress since October 1994?"

We have a situation where the answer happens to be "Yes." But it further requires the President to seriously consider forming a special commission with North Korea to resolve the issue as recommended by the Senate Select Committee on POW/MIA Affairs in 1993, and the answer to that one is "No."

The remains of those soldiers that we know were in those camps buried in North Korea during the war, where are they? I was allowed to visit, when I went to Pyongyang, the anti-American War Museum in 1992, and I caught a glimpse of their vast archives. It is obvious—obvious—that North Korea has substantial information on Americans that they shot down, captured, or turned over to the Chinese or had taken from them by the Chinese—room after room after room. We were allowed to see maybe half a dozen, maybe a few more, 7 or 8 rooms, in an 80- to 90-room museum full of information on Americans—Americans. It was called the American museum. Some in our Government denied it existed, said there was not any such museum. You are wasting your time to go over there and try to find it. North Koreans denied it, too, but we knew where it was, and we got there.

Let me tell you something. Having served in the Vietnam war and spent 11 years on this issue, to walk through a museum with letters from American POW's that were sent home but never received at home because the North Koreans intercepted them and hung them up on their walls as trophies, to see photographs of dead American POW's and live American POW's who had been tortured and suffered, to see it all as the North Koreans proudly displayed with a high-ranking North Korean military officer on either side as I and others walked through that museum, that is tough. That is tough to have to go through.

You know what. As tough as it was, it is not half as tough as coming back here and knowing I cannot get anybody in Government who cares enough to go back over there and try to get answers for these families. That is what is tough.

The key question here is, Do the reports show any progress in these two specified areas? And again the answer to that question is "No." And the reports make it clear. So I think I will check the "No" box again. There was a little "Yes" box here. That is the only "Yes." In fact, the discussions with the North Koreans have been at an impasse now for a long, long time. The North Koreans want several millions from the United States for remains they have already turned over. I am not into that blackmail. We have done that to Vietnam now—millions of dollars for remains, body parts. That is blackmail. It is disgraceful. We should not agree to it. That is not what I talked to the North Koreans about. However, it does not mean that we should not set up a better mechanism to address all of our concerns—remains, possibility that

somebody may be, through some heroic effort, left alive, and information, all three, as well as the North Korean concerns about compensation for expenses they can justify.

It was interesting; a South Korean soldier after spending 43 years in a North Korean camp came back alive about a year ago. That did not get a lot of publicity. His picture was not in Time magazine.

It was O.J. Simpson's picture or some rock star's picture, but not this guy.

(Mr. ASHCROFT assumed the chair.)

Mr. SMITH. Mr. President, let me tell you something, he happened to be a South Korean, but what if he had been an American? What if he had been an American? He would have been on Time magazine, would he not? Well, he could have been. He could have been. I do not know what the President or anyone else in our Government today would have to say to that man, not a young man, not today. What would you say to him when you looked him in the eye when he asked you, "Where had you been for the past 43 years?" What would you say?

That is where the second half of section 1035 comes in. The Congress required the President to give serious consideration to forming a special commission with the North, and this is something the Senate Select Committee on POW/MIA Affairs recommended in its final report. All 12 Senators—Democrat, Republican, liberal, conservative—agreed on this point.

Nonetheless, the administration, obviously, has not given this suggestion any serious consideration, and if they had, they would have contacted me to discuss what the Bush administration and I had already worked out and presented to the North Koreans shortly before President Bush left office. I was very involved in those discussions and there has been no followup with me whatsoever—not one word from the previous administration or this administration, absolutely no interest, no consideration, no interest whatsoever in what those discussions were. I am not a State Department official. I have no authority to negotiate. These were simple discussions, but I thought they might be interested in knowing what we talked about and what we might be able to do as a result of those discussions, but I was hoping for too much.

But, oh, you hear the rhetoric, though, you hear the rhetoric. How we worked so hard, we tried so hard, we have the POW/MIA stamp, we have the ceremonies, POW/MIA recognition day, and we have these great speeches about how we will never forget. "You are not forgotten." Words, Mr. President, they are cheap. There has not been compliance with the second half of section 1035. So we will just check the "no" block there.

Section 1036, require public disclosure of all Defense Department records on American POW's and missing personnel from the Korean war and the cold war that are in the possession of

the National Archives by September 30, 1995, 1 month ago. Our National Archives, Mr. President. Not the North Korean's national archives, not the Chinese, not the Russians, our own archives.

Two weeks ago, the administration reported that they had not complied with this section. They need more time, Mr. President. One year was not enough. So Senator KERRY and I have now extended their deadline until January 2, 1996, in the fiscal year 1996 Defense Authorization Act. We gave the administration 3 more months, and it remains to be seen whether they are going to comply.

Open up the archives. Let us see what is in there. It is the Korean war, over 40 years ago. Are there national security secrets in there? What is amazing about this is that Defense Department officials have admitted to me—admitted—and I will not quote them, but they admit it, that they did not even begin to consider whether they would be in compliance with this provision until 10 months after the bill was signed into law.

At that time, when they were asked about it by family members, then they decided they might have to do something. It is not that we did not warn them. In fact, after the law was signed last year, I sent a letter to the Department of Defense reminding them of this obligation. They did not care about the deadline. It is not important. They have too many more important things to do.

So, again, let us check the final "no" box, Mr. President. That is not a very good record, the way I look at it. This is the law. This is the law. These are not simple requests by letters. This is the law. Not one item on there was complied with.

The administration, probably not a very good metaphor, basically thumbed its nose at the Congress and the American people and the families and our Nation's veterans by not complying with the sanctions of this law. I am offended, and every single decent American should be offended. Every mother and father who has a son or daughter poised to go into Bosnia today, sent there by this President or this Congress, ought to be offended.

This is contempt for the laws of Congress, and I know a lot of laws get passed and I know a lot of things are difficult to comply with. God knows I understand that. I serve on the Armed Services Committee and I sympathize with so many of the regulations and laws with which they have to comply. But I have reminded them over and over. I have offered to help. I have given them extensions. Nothing. And yet, if you read any manual on POW's and MIA's today, you know what it will say—try not to laugh, this is the highest national priority—it says in the handbook, "the highest national priority." If that is the highest national priority, I would hate to see what is, really. The President clearly does not care.

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about disregarding this law, and I think the American people are rightfully going to hold him responsible for it.

Let me come back to 1034, the final point on here. This is the section which last year's law pertained to the Vietnam-era POW/MIA cases. This is the most disturbing violation of all, because it occurred during the same period—and this is very offensive to me personally—it occurred during the same period that the President is showing the Communist Government of Vietnam with full diplomatic recognition and expanding the commercial contacts there. In fact, the State Department and our trade representatives are now coming to the Hill to brief congressional staff on further efforts to expand the economic relations, to set up the diplomatic office.

I have stated all along, and fought this every inch of the way and lost, that these initiatives are premature and that they simply amount to nothing more than putting profit over principle. That is what it is.

Section 1034 requires the Secretary of Defense to provide Congress within 45 days—this is not an unreasonable request—within 45 days a complete listing by name of all Vietnam-era POW/MIA cases where it is possible that Vietnamese or Lao officials can produce additional information. Not additional men, not unreasonable requests, not somebody that was blown up in a fire fight that nobody saw, but POW/MIA cases where it is possible that Vietnamese or Lao officials can produce additional information.

Mr. President, there are 2,170 Americans still unaccounted for from the Vietnam war. We know half of them were believed to be killed in combat at the time of their incident and the other half were listed as missing in action—we know that—which means we did not know what happened to them at the end of the war. That is what it means.

There has been a great debate about how many cases Vietnam really still owes us answers on, how many out of these 2,170 can they legitimately give us answers on. We know they cannot do it all. That would be an unreasonable expectation, because in some cases, frankly, they do not know what happened. There was a lot of concern about some of the wartime photographs that surfaced in the Vietnamese archives on cases where Vietnam had previously said they had no information, no information, do not know what happened to this guy and suddenly up pops a photograph.

So we wanted a case-by-case assessment on this issue. Now you would think that the Department of Defense would have had this information readily available in some type of a database that is constantly updated. If it is the highest national priority. We are trying to find out what happened to the 2,170 men; if we have intelligence information that this or that happened, we ought to be feeding it into a database,

we ought to be able to pull it up and send it over here. Wrong.

They spend \$54 million a year of the taxpayers' money working on this issue, and they cannot produce a simple list of 2,170 people in which it says on one side this guy was killed in action, here are the witnesses; this guy was captured alive, he was led off, here is the information; this guy was photographed in a POW camp, never came back. They cannot produce it. They cannot do it.

They have the information, Mr. President, because I have read it. I have seen it. Do you know why they do not want to produce the list? I will tell you why. Because if they produce the list, it might screw up the diplomatic relations, mess up the economic gains that American businessmen are going to make by exploiting Vietnam. That is why they do not want to put the list out.

How could the President of the United States—any President—proceed with the normalization of relations with any country—in this case, Vietnam—without first knowing just a simple, basic knowledge of how many cases of missing American servicemen there are? If Vietnamese and Lao officials had more information on them, based on all of our intelligence and investigative activity to date, how can we, in good conscience, move on without getting just that basic information—not out of the Vietnamese, Mr. President, but out of our own Government—that they have that they think the Vietnamese and the Lao have?

I am not saying account for every one of these men. That is not what I am asking for. I am asking them to give me the information on the cases of the men that they have in their best intelligence—perhaps a witness, a buddy who saw a guy led off, whatever. Give it to us because we have reason to believe that the Vietnamese would know what happened to these men, and we can confront them on this.

One example: David Hrdlicka was shot down, captured by the North Vietnamese in Laos, photographed, filmed, used in Communist propaganda, paraded around. Never a word from the Lao or the Vietnamese as to what happened to David Hrdlicka. Do you think they do not know what happened to him? Of course, they know what happened to him. But that information is in that list.

If the Government sends that list over here—our Government—that is going to be a little embarrassing, because when Carol Hrdlicka, David's wife, who has waited all these years, says, "Why are you normalizing relations with a country that will not even tell you what happened to my husband?" What are you going to say, Mr. President? The administration has not complied with this law.

You have to ask yourself these questions: Why? Why? I could go over there, probably in a month, with a couple of staff people and get it myself. It is

there. It is not that it is not there. Of course, it is there. Of course, there is a database. What are they afraid of? Are they covering up or sitting on information that would show the American people that Vietnam is not fully cooperating on missing Americans? You bet. You bet. That is exactly the reason why they are not giving us the information, because it is going to show that the Vietnamese are not fully cooperating—are not cooperating in any way, shape, or form, to the full capacity that they could.

If this information were released to the public, it would undermine all of the rhetoric from the President, the Secretary of State and their adjectives like "splendid," "superb," and all this cooperation they claim we have been receiving from Communist Vietnam. That is what we have heard—not just cooperation, but "splendid," "superb," "outstanding," "unprecedented."

Well, boy, it would sure blow that up if the U.S. Congress and every staff member for every Senator and Congressman in this place could look at that list. That is why we do not have the list. Hold the list up, ignore the law until we get it all done, until we get the mission set up, get the full diplomatic relations set up, then let it out, but do not do it now; you will sure mess it up.

I recall the statements by assistant Secretary of State Winston Lord during his last trip to Vietnam this last May. He stated: "We have no reason to believe that the Vietnamese are not making a good-faith effort on the POW/MIA issue." Well, Mr. Lord, let me just say it as nicely as I can: That is not the truth. That is not the truth, and you know it.

If the President has no reason—and that is the exact word—to believe they are not cooperating, which is what he cited as the basis for announcing his decision to normalize relations this past summer, then where is the list? Why do you not let us see the list?

There will be some who will come back down here on the floor, perhaps tonight or tomorrow and say, "There goes SAMTH again. I thought we could get the war behind us; I want to get it over and move on. I am tired of fighting the war."

Some things have to be fought. Some things have to be continued because they are right. Many of my colleagues in the 1840's and 1850's stood on the floor of this U.S. Senate and argued against slavery, and it took them a while to get it right, but they got it right, and they were right when they were making those statements and having those discussions on the floor of the Senate. And we are right now to make them now.

History will judge us as being right. History will judge us, who stood up and said we did not get the information, not only from the Vietnamese and the Lao, but from our own Government. We did not get it. History will judge us as being absolutely right. I do not care

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who says what differently. History will be the judge. I will stand on that judgment.

I want to review in more detail now exactly where we have been concerning this requirement over the last year. I want my colleagues and the American people to see what is going on. I know this is a long speech and people want to go home, but it has been a lot longer for the people who have waited for answers for their loved ones, some all the way back into the fifties, from the cold war. So I am doing it for them. No one else cares, so I am doing it for them.

I want everybody to know what happened over the last year. It would make you sick, Mr. President, to see the obfuscation, the delay tactics that have taken place. I have drawn my conclusion. I am going to be criticized for this. It is a coverup; that is what it is. It is not a coverup in any sense other than you got information and you will not give it to us, according to the law. If you have information that the law prescribes and you will not give it to us, then you are covering it up. If you are not covering up, get it over here. If I get this information over here tomorrow morning, I will withdraw and retract the comment about a coverup. If I do not get it, or there is some indication that I am going to get it quickly, I am going to assume that this information is being covered up so we can get on with normalization and not mess it up.

This information, if we get it here, will show that right up to the present, despite all the comments about cooperation, the Government is nonetheless holding back information on several hundred—not 10, 12 or 20—American servicemen that were lost or captured in Communist Laos and North Vietnam during the war. Several hundred are on that list. What is that list? That list is the best case, best information available by the United States Government through intelligence sources, buddies on the battlefield, copilots, back seaters, men on the ground as to what happened to these individuals. It is not necessarily that they are alive, but that we know what happened to them, and we think the Vietnamese know what happened to them. That is all we are asking for. But, you see, if we publish that list, it would destroy the argument for normalization.

Do you know what people say to me? It is amazing. "Why would a Vietnamese hold back any information?" First of all, I am not interested in why. The first question is, are they holding back and not disclosing information about the fate of our men? In the absence of this list of cases, I can only conclude that the administration is presently engaged in a coverup of information that would answer this question in the affirmative. Pure and simple.

People will yank this phrase out of context. But if you put it in the context that I have said it—and I have been quoted out of context before—they are covering up in providing the

information, the best-case information, best available information, as to what happened to certain men who are missing, in order to move forward with diplomatic relations and trade. I am going to let my colleagues and the American people be the judge after they see what happened, because do you know what? Sooner or later I am going to get that list, because I have seen it and I know it exists.

This list was required by law on November 17, 1994. As that date approached, the Deputy Assistant Secretary of Defense sent a letter to Congress requesting a 3-month extension. He also informed us there was an inter-agency agreement within the executive branch that no revised or new list would ever be produced.

Let me read from the letter we received at the time from the Deputy Assistant Secretary of Defense.

DEAR MR. CHAIRMAN: The fiscal year 1995 National Defense Authorization Act contained a request that the Secretary of Defense report not later than 45 days to the Congress specified information pertaining to the U.S. personnel involved in the Vietnam conflict that remains unaccounted for.

This letter is to advise you the study is underway and that considerable progress has been made, but it is unlikely the report will be finalized by the time requested. It is anticipated that the report will be finalized within 135 days, at which time it will be forwarded to your committee for review.

This was addressed to Senator NUNN. The comprehensive review must be carefully constructed to reinforce current and near-term negotiations. Specifically, there is great potential to any new list to cause confusion for the governments of Vietnam and Laos, and this concern resulted in an inter-agency agreement that would not produce any new lists.

Gobbledygook. Mr. President, the law does not give the administration the luxury to decide whether or not a new list would be produced. It said produce a list.

I reminded the administration of that fact last November. I am, frankly, not interested in some bureaucrat's view about causing confusion for the Vietnamese. The Congress, the American people, and the families are the ones who have been confused by Government distortions on this issue since the end of the war. That is another reason we want a straightforward list in the first place.

Notwithstanding that, I try to be reasonable, and in spite of all the hardships these families try to be reasonable. A 3-month extension seemed OK to me, and the Armed Services Committee agreed with it.

I met with the Deputy Assistant Secretary in December of last year in my office and told him I had no objection. Even though I did, I said I had no objection to extending the deadline to February 17, 1995. I expressed my amazement that such a list did not already exist. In fact, I still do not know how the President can look at normalizing relations with Communist Vietnam without having the list of the American POW cases that Vietnam

might be holding back on. He is not concerned about it. I just am absolutely aghast to think that that does not bother him, because apparently it does not or he would provide the list.

When the new extended deadline began to approach after the Christmas holidays last year, rumors started to surface that we still would not get the list by the new February deadline. Those rumors turned out to be true.

On January 24, 1995, after more rumors surfaced that the President might upgrade relations with Vietnam, several of my colleagues joined me in sending a letter to the President reminding him of his obligation to provide the required list. In fact, we asked him to give us the list before any decision was made to upgrade relations.

That sent the red flag up, so now we had to speed up the process. Let me just say I sent the letter. But let me tell you who else signed it. It was signed by the chairman of the Foreign Affairs Committee, Senator HELMS; it was signed by the chairman of the Armed Services Committee, Senator THURMOND; it was signed by the chairman of the Intelligence Committee, Senator SPECTER; signed by the chairman of the Asian Pacific Subcommittee, Senator THOMAS; the chairwoman of the International Operations Subcommittee, Senator SNOWE; the House chairman of the International Relations Committee, Congressman GILMAN; the House chairman of the Asian Pacific Subcommittee, BENTLEY; and the House chairman of the National Committee on Military Personnel, Congressman DORNAN.

The President ignored the request. He said, you will get the list soon, period. This was in January 1995. January 28, he announced the formation of liaison offices between Vietnam and the United States in both Hanoi and here in Washington. Fast track, we call it.

For the first time now we are allowing the Communist Vietnamese government to establish an office here in Washington, even though Congress still had not provided the American people with a list. The White House had not provided Congress with a list of POW/MIA that Vietnam might be holding back on. No list.

I think the administration realized their decision to upgrade relations would not be viewed in a positive light if the list was released just last February. You can be the judge on that.

I next raised the issue with Secretary of Defense Bill Perry at a hearing of the Senate Armed Services Committee on February 9, 1995. I told Dr. Perry's staff beforehand that I would raise the question so there would be no surprises. I do not play the game that way. I wanted him to have a response ready so I did not catch him by surprise.

When I asked him at the hearing if he was going to meet the new deadline by February 17, he said, "Yes, yes." I immediately followed up that day with a letter to the Assistant Secretary of Defense.

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The following day I received a response which stated, "The Department will respond to the legislation by February 17, 1995. Let me assure you our response to this Congressional requirement will be provided in compliance with the law."

On February 17, 1995, we received a letter from the Secretary of Defense which did not comply with the law. I repeat, did not comply with the law. It did not provide the updated listing of cases of missing Americans that Vietnam and Laos officials might have more information on.

I want to read an excerpt from that letter that we received from the Secretary of Defense which I have blown up here on a chart. This is the letter to Senator THURMOND, the chairman of the Armed Services Committee.

In response to this legislation, the Department of Defense has initiated a comprehensive review of each case involving an American who never returned from Southeast Asia.

That sounds good.

As of February 12, 1995, nearly 50 percent of all cases have been reviewed as part of this process.

Completion of this painstaking case-by-case review will take at least several additional months, at which time these findings will be reported to Congress.

Well, here we go again. We do not have a list. Several additional months—no list.

Is it not a little audacious for the Pentagon to talk about a request if a straightforward analysis—let me quote this language which really jumps off the page, Mr. President, "Completion of this painstaking case-by-case review will take at least several additional months."

Painstaking. How about the pain and the uncertainty that the families have had to endure with their missing loved ones? Believe me, the Pentagon's pain on this issue is nothing compared to the pain of the families. I think the word is an insult. I take offense with the use of that word to imply there is some analyst over in the Pentagon who is going through this whole painstaking process of putting a list together—a simple list of information they already have. I am not asking them to extract this from the Vietnamese and Laos but from our own intelligence files that we believe the Vietnamese have or the Laos on our missing men.

How would you compare their pain? That must be awfully painful for them, is it not, these bureaucrats going through this painstaking process?

What have they been doing for the last 25 years? What have they been doing for the last 25 years if they do not have the information on these people that are missing? My God, what are they telling the families? How can anybody have any sympathy for anybody in this administration or any other administration with that kind of analysis on this issue?

Consider the roller coaster ride that the families have been on year after

year, decade after decade, waiting for answers. Hopes up, dashed. Hopes up, dashed. They are the ones that have gone through the pain, Mr. President, not these bureaucrats.

I am not saying that the people in there are not loyal Americans trying to do a job, but we should get the job done.

How much more time do you need? It was clear by this past February that the administration had violated the law. That is the exact phrase—violated the law. I sent a long letter, again, to the Secretary of Defense on March 7, 1995, and I expressed my disappointment that you violated the law. Everybody else has to comply with the law but apparently the President does not.

A month later on April 7, I received another written response from the Under Secretary of Defense, Walter Slocombe, allegedly on behalf of Dr. Perry. Let me just read an excerpt from that letter:

Section 1034's impact has been to refocus the analysts' work to conduct this comprehensive review earlier than anticipated. Currently, DOD has committed 22 of the 33 analysts (67 percent) within DPMO and an additional 12 analysts from Joint Task Force Full Accounting to working full-time on the comprehensive review. To ensure the type of comprehensive review of all 221 cases that both Congress and the families demand and have a right to expect, it is essential that the analysts expend the time and scrutiny required to evaluate every individual's case in the light of all available evidence.

While there will be no arbitrary deadline, I assure you that DOD will continue to give this effort the utmost attention. I am confident the review will be completed during the summer. The department will report the results of DPMO's review to Congress on its completion.

That was in April. Imagine that. The law imposes a deadline. That is what I thought, that you had to comply with the law. I am sure the Senator in the chair, the Senator from Missouri, when the EPA tells one of the communities in your State they have to comply with the Safe Drinking Water Act or Clean Air Act, they nail you with a fine and threaten your community.

This law imposed a deadline, and not an unreasonable one. Yet the Under Secretary of Defense says to Congress, "There will be no arbitrary deadline." In other words, "To heck with you, Congress. Do not tell me when we have to do this. We will get it when we are ready. That is an arbitrary deadline."

Who is he, Mr. President? Who elected him? Is he under the law? I guess not. The Department of Defense must be above the law. And the Clinton administration, I guess the President himself, he must feel the same way—above the law.

You wonder why people are cynical about politics and politicians? It is an affront. It is an affront to Congress. I am taking the floor tonight, and taking the time to work my way through this because I want my colleagues to know that we have laws on the books that are being ignored, and blatantly ignored. We are not even allowed to re-

view our own Government's assessment to judge for ourselves whether Vietnam is fully cooperating. I am not asking for my own assessment. I am asking for our Government's assessment. That is all I am asking for.

And then, without getting that information, my colleagues and I are asked to rubberstamp the President's discussion on diplomatic relations. That is what we did.

I do not think it is going to be that easy. I urge my colleagues to consider these matters the next time they are asked to vote on this issue. I certainly commend Senator CRAIG THOMAS for his support in his committee. I hope it will be a long time coming before you get an ambassador approved out of the Senate.

There used to be an expression as you go along through a speech "stay tuned, it gets worse." The next chart is a statement from June 28, 1995, before Congress. This is a full 3 months after the last letter from Under Secretary Slocombe wherein he assured us that all his analysts were working full time on these cases.

Three months later, in June, we still did not have the list. So, this is sworn testimony by Jim Wold, the Deputy Assistant Secretary of Defense for POW/MIA affairs. Here is what he said.

We must never forget, however, that the goal of achieving the fullest possible accounting can only be achieved with diligence and hard work. With that in mind, I launched the ongoing DOD comprehensive review of all Southeast Asia cases, which I hope will be completed in mid-July. This all-encompassing look at every individual case will provide a solid analytic assessment of the appropriate "next steps" for achieving the fullest possible accounting. Our unaccounted Americans deserve no less. I will work to ensure that we keep our promise to them. Thank you.

Jim Wold is not entirely accurate or he would have said the goal will only be achieved when Vietnam decides to fully open its archives and its prisons. Then we can say we are diligent hard workers.

We can "say" that. That is not going to resolve this matter if the Vietnamese are deliberately withholding information, and I am going to discuss some of the information that is being withheld. There is a lot of heartwarming rhetoric at the end of this statement, "Our unaccounted Americans deserve no less. I will work to ensure that we keep our promise to them." That is what he said. That is real nice. But the fact is the administration was supposed to work to get the job done and report it to Congress under the reasonable deadline imposed by Congress: 45 days, not 245 days later which was mid-July or 330 days, as it now stands, nearly a year since the deadline. No list.

This information should already have been compiled and available for policy makers, the Congress and the families. It has been held—it has been withheld from the American people. They have it. They can put it together. It may not be in a sheet form that you can just

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say "Here," listed with the information. They can put it together and they can put it together quickly. They have it. Of course they have it. Could they produce it? Yes. Why do they not? Because it is going to show in black and white the degree to which Vietnam is sitting, as we speak, on information concerning the fate of several hundred American servicemen. Not a few dozen like the administration likes to claim—no, no, no. This is an outrage. It is going to show that they have information on several hundred Americans.

The next chart is a copy of a letter that I sent, again to the Under Secretary of Defense, Mr. Siocombe, continuing to try here. This was dated August 18, 1995, after the President announced, in July, his intention to establish diplomatic relations with Communist Vietnam. You remember that debate. I again tried by sending another letter. My letter followed a similar letter from Senator Thomas in mid-July on this subject, in which he has made clear his intent to withhold in his subcommittee any funding for Vietnam or any ambassadorial nominee to Hanoi until this is reviewed by Congress.

I commend him for having the courage to do that. He has taken considerable heat for it. I cannot possibly say how much I appreciate his support. He has been steadfast on this issue as the chairman of the Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs.

But in my August letter, without reading it all, I basically said: Mr. Secretary, where is the list? Where is the list? Where is the list?

No response. No response from the August 18 letter. Not even an acknowledgment, despite numerous followup phone calls after this. Senator THOMAS—no response.

I am told from other sources that these cases finally moved up the policy ladder in the administration, but only after the President made his decision to normalize, which was my point all along. Once we get passed that borey, then we are home free. They did not want to get it in the way as the President made his decision. Apparently, staffers at the National Security Council are now "very concerned" about releasing this information because of what it shows and the way things are worded in the study. The word is that this assessment or study, which is now being withheld from Congress—and it is being withheld deliberately—shows that Vietnam is likely withholding information on hundreds of POW/MIA cases.

I want to underscore why I am concerned about this. The fact that we still have in my judgment a discrepancy of several hundred cases with no answers from Vietnam or Laos. To do this, I want to refer to the charts, information about POW's from Vietnam that has surfaced in the last 12 years from the Communist Party and intel-

ligence archives of the former Soviet Union. The Russians, to their credit—the Russians to their credit—have been very, very helpful. I am a member of the U.S.-Russian Commission. I met with the Russians on numerous occasions on this subject.

For those who are not familiar with the reports about these documents, let me explain. In 1993, only a few months after President Clinton was sworn in, the administration received from the Russian archives two reports that the Soviet Union, the old Soviet Union, had covertly obtained from the North Vietnamese during the Vietnam war—covertly obtained; a very touchy subject. These were copies of speeches given by two Vietnamese military officials to the North Vietnamese Politburo in 1971 and 1972.

Sections of both of these speeches concern American POW's being held by North Vietnam, and they stated flatly that more American POW's were being held than those the Vietnamese had acknowledged. This is not our intelligence. This is the Soviets.

I might add that the numbers were larger than those that we had assumed.

Sections of both of these speeches were looked at. I might add, as I said, that these numbers were much larger than what we found in the Paris Peace Accords in 1973.

That is the essence of these secret speeches before the North Vietnamese Politburo. They had told the world that they held X number of POW's, but in reality they held X-plus, and they were not going to release them until we withdrew from Vietnam and paid war reparations, which we never did.

These are not my words. This is the document. As our select committee showed in 1992, yes, we withdrew our military forces in 1975 after Congress had cut off the purse strings, but we did not pay the reparations that President Nixon had promised the Vietnamese in secret communications in February of 1973.

So the first Politburo report turned over was a translation of a wartime secret speech by North Vietnamese Gen. Tran Van Quang, who was a former Deputy Chief of Staff of the North Vietnamese Army. In their report, he stated that 1,205 Americans were being held. As I previously pointed out, only 591 came home. So there is an obvious discrepancy. General Quang says in the document we have 1,205; 591 came home.

The secret Politburo report turned over was a translation of another speech given earlier in the war by the Vietnamese former Vice Minister for National Defense Hoang Anh. Like General Quang, he stated that he had only released a list of 368 names of Americans but that they were in fact holding 735. As I previously stated, that figure had gone up to 1,205 a couple of years later when General Quang addressed the Politburo.

These numbers are all confusing, but this is what the report says. This is not

a debate about what Bob SMITH believes. It is not a debate about that report itself. It is a debate about what this report says. It says it. It is a document taken from the archives of the Soviet Union. I do not know whether these numbers are accurate. I do not know. But I know that General Quang said they were accurate. It was not a propaganda document. It was said before the Vietnamese Politburo.

Do you not think that President Clinton would be naive if he believed the Vietnamese did not hold back the total number of Americans they had captured during the war for whatever strategic purposes they deemed appropriate at the time? Even former Secretary of Defense Mel Laird, to his credit, had held a press conference in 1979 to say that the list the Vietnamese published at the time was not complete.

For the record, I want to say that these two Russian documents surfaced on President Clinton's watch—not on President Nixon's or Dr. Kissinger's watch in 1973. They did not know about these documents.

There can be no doubt that President Clinton has to be the one to bear the responsibility with regard to holding the Vietnamese accountable in terms of explaining these Politburo reports, these documents. We cannot go back and say, "Dr. Kissinger should have done something on these specific reports," because they did not know about this. It is my judgment that the administration has tried to brush these documents aside.

There will be plenty of people out there who will say, "Oh, my, here is SMITH again." This is a disservice to the Congress, and to the members of the Armed Services Committee, and to the members of our armed services. Instead of keeping faith with the American fighting men by pursuing information like this until we are certain we are doing everything we can to account for the missing Americans, the President has broken faith.

What about the investigative activity of these reports? Did we look into them sufficiently? In short, no. The administration has not even asked to meet with Hoang Anh, the author of one of these reports, even though he is living in retirement in Vietnam. We are going over there to establish diplomatic relations, going to drill for a little oil, set up some airline offices, but we cannot meet with Mr. Anh. We cannot meet with him, and have not met with him. There has been no credible type of detailed information from the Vietnamese Government on either of these reports, just deny them and that they were accurate.

Let me concentrate on that report by Quang which went into a lot of detail about the number of Americans being held. When that document publicly surfaced from the Soviet archives in April of 1993, the Vietnamese put a full court press on it, believe me, to label the document a "fabrication." They knew

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the President was close to lifting the trade embargo. In fact, some said it was created to squash the trade embargo. I do not know who could create it. It came out of the Soviet archives. It was an authentic document. It was said they were caught between a hot rock and a hard place.

What do they do? They lie. They said the report was cooked up and fabricated by a Harvard researcher. That is where it got very interesting. This was not a POW/MIA activist. This was not a nut. This was a Harvard researcher who had nothing to do with MIA's. He was over there doing another project. He found it. He said, "Whoops. Holy mackerel. Here, this is something important." He tucked it away. His name was Stephen Morris.

When the Russians officially turned that document over, the Russians were able to convince every reasonable scholar and analyst that this was an authentic intelligence document from the GRU, the equivalent to our Defense Intelligence Agency. Simply put, the Russians confirmed when they turned the document over that the Vietnamese had apparently lied to the United States for 20 years.

Was there an uproar by the administration, Mr. President? No. In fact, the first thing they did was to classify the document secret, and withhold it from the American people. "Oh, we do not want to mess up the embargo. We cannot let that out." But Dr. Morris released it to the New York Times. Now we have a problem. So then the administration had to respond.

I have a chart here that is a synopsis of the official comments by the Government of the Socialist Republic of Vietnam.

Let me just quickly go through this. You have to remember that this is an independent researcher, Dr. Morris, who finds the document in the Soviet archives. The Soviets say it is true, it is an accurate document in the sense that it is authentic. You cannot vouch for the exact language in it. But these remarks were made by General Quang, it is an authentic document out of the Soviet archives, out of the GRU intelligence community. So now we have a problem. This is two Communist nations during the war who were friends. This is an embarrassment. And the Communist Vietnamese were livid because it embarrassed them. But they were caught with their proverbial pants down. They had to say something. Here is what they said.

"Vietnam totally denies that ill-intentioned fabrication . . . Realities prove that the report . . . is completely groundless."

That was in the Foreign Ministry. "General Tran Van Quang had nothing to do with the General Staff of the Vietnamese People's Army," said the Foreign Minister.

"This is a pure fabrication, and we completely reject it," said the Deputy Director of Vietnam's Office for Seeking Missing Persons.

" . . . It is a forgery document. It's totally false."

This is Le Van Bang, former U.N. Ambassador from Vietnam, the charge d'affaires in Washington, DC. He is here now.

"[General Quang] was in no position to make such a report."

"It's a sheer fabrication. It's non-existent."

"The intelligence service that manufactured this report was a very bad intelligence service. It was absolutely wrong. Never in my life did I make such a report because it was not my area of responsibility . . . I had nothing to do with American prisoners," said General Quang in April 1993.

Did anybody from the U.S. Government, anybody from the Clinton administration, meet with General Quang? You guessed it. No.

But I did. I did. I went over and spent a half-hour with him. He lied throughout the entire discussion. The reason I know he lied is because I asked him questions that I knew the answer to. He gave me the wrong answers to about just the basic information, about the war years, about information he had that I knew was accurate. He lied. He lied about this.

This is when the Vietnamese really got hot.

"The Russians can possibly open up their documents for you, but as long as the United States side is treating the Vietnamese as 'Trading with the Enemy,' we cannot open our documents for this reason."

That is what the Vietnamese said. He said that to me, particularly the Vietnamese official in Hanoi. It is pretty revealing—that last quote, Mr. President, because the Vietnamese told me personally—that the Russians can open their documents, but we are not going to as long as there is a trade embargo.

That is exactly what they said to me. The Russians can open them up, but we are not opening them up until you get rid of the trade embargo; that is, Trading With the Enemy Act.

Well, the President lifted the embargo 2 years ago. After he lifted the embargo, we were going to have this whole raft of information which was going to come sweeping out of Vietnam.

We were going to be just besieged with it.

Well, we still do not have access to their Communist Party records on POW's. We had to get it through the Russians. So much for superb, splendid, outstanding cooperation. Mr. President.

Let us look at the second chart. Let us see what the Russians had to say about this document. I hope everyone is following this because we just saw what the Vietnamese had to say. These are the Russians. They do not have any reason to be lying to us about this. This is embarrassing to them if anything else. It would be the equivalent of England and the United States with some agreement during the war years

that would embarrass one of us against the other. But here we have Dr. Rudolf Germanovich Pikhoya, the Chief State Archivist of the Russian Federation in August of this year. Here is what he said:

I am absolutely certain that the numbers—

That is the numbers of POW's cited by General Quang are true. I believe that the data still exists in Vietnam which deals specifically with U.S. POW's. . . . I am absolutely positive that the 1205 figure is absolutely true and correct as far as intelligence data is concerned. As an archivist and someone who has analyzed a great many documents, military and otherwise, I can tell you that this is an absolute truth.

He has used the word "absolute" two or three times.

This number was announced by Quang at a closed Politburo meeting.

How do Russians get information out of a closed Politburo meeting? We do not need to get into that, but we all know how to get it.

Colonel General Ladygin, Chief, Main Intelligence Directorate of the General Staff Ministries of Defense. That is the GRU, the intelligence arm:

General Trao Van Quang, according to the position he held in the Vietnamese military political leadership in 1972, would have been fully competent in the matters stated in the report and qualified to speak about them at Politburo sessions of the Vietnamese Communist Party Central Committee.

Fully competent in the matter stated. They knew who he was. They were allies. They knew who Quang was. Of course, they knew who he was. That is why they were spying on him, to put it nicely.

Captain 1st Rank Alexander Sivets, Main Intelligence Directorate of the General Staff, GRU. Listen:

I will reaffirm that the 1205 document could not have been used for propaganda purposes. It was a top secret document not intended for anyone outside the chambers of the Vietnamese Communist Party to see . . . the document that was sent to the (Soviet) Central Party Committee is, in fact, an original document and not a fake. We consider that the Vietnamese leaders, in their desire to exploit the POW problem for their own interests, would officially cite a lower figure than the real one. This is something that we do not doubt. . . . We believe that there were more (American) POW's than Vietnam was officially admitting to.

Gen. Dmitri Volkogonov, a real hero in my mind, who has worked hard on this issue on the side of Russia to help us resolve this issue even though he is very sick:

Upon the request of Senator Smith to President Yeltsin —

That was a hand-delivered letter that my wife delivered to Boris Yeltsin, put it in his hand when he visited in America so there were no bureaucrats in between:

Upon the request of Senator Smith to President Yeltsin, President Yeltsin ordered me to conduct additional research—

I mean we would not want anybody in the administration to give Yeltsin anything on this so I did.

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to include in the files of the Main Intelligence Directorate of the Ministry of Defense. . . I have studied exhaustively the mechanism used to gather this document—

Listen carefully:

I have studied exhaustively the mechanism used to gather this document, and I can state that I do not know of any case where such information would have been fabricated. . . (General Ladygin) has stated that General Quang was fully competent to give his report.

That is a nice way of saying we collected intelligence in there. We are not going to tell you how we did it, but we did it.

Maj. Gen. Antoliov Volkov:

The Vietnamese denied this document and said it was put forth to throw cold water on U.S. relations. However, I would say in response that there is an old Russian proverb—you cannot change the words of a song.

Once it is a song, it is a song. When you change the words, it is a different song. Is it not, Mr. President?

I want to reiterate Mr. President, the Russians have told me right to my face, in my office and in Moscow, that the method by which these reports, the Quang documents, were collected were reliable by the GRU, the intelligence gathering agency. And it was a method through which they acquired other significant reports during the war. In fact, they acquired another report by General Quang to the North Vietnamese Politburo in June 1972, which has nothing to do with POW's and MIA's. In that report, he talks about North Vietnam losses during the Easter offensive in the spring of 1972, and guess what: That information, too, was all accurate. So if he was in a position to know this stuff, how could it not all be accurate? No one in the administration has even asked him about it.

Let us look at what two former National Security Advisers to the President had to say about the Vietnamese Politburo report.

Now, this is very interesting—very interesting. This was on MacNeil/Lehrer—Dr. Brzezinski, who was National Security Council adviser to President Carter, and Dr. Kissinger, who was the Secretary of State and the National Security Adviser to President Nixon.

Again, following up on the same two reports:

Dr. Brzezinski, you've stated publicly, and you're quoted in the New York Times as believing the document—

The 1205 document.

Is genuine. What convinces you? Dr. Brzezinski, National Security Adviser to President Carter, right after the war. What convinces you?

Its style, its content, the cover note to the Soviet Politburo. One would have to assume a really very complex Byzantine conspiracy to reach the conclusion that this is not an authentic Soviet document based on a Vietnamese document.

Then MacNeil says:

Dr. Kissinger, what do you think on the question of authenticity, first of all, of the document?

Dr. Kissinger: I agree with Brzezinski that those parts that I know something about have an authentic ring.

Remember, this document deals not just with MIA's. It dealt with a whole raft of things. They have an authentic ring.

For example, when they (General Quang) described what their negotiating tactics were, those were the tactics they were using in negotiating with us.

Kissinger was the guy who negotiated the Paris Peace Agreement.

They say in this document that their proposals were first a cease fire and overthrow of President Thieu, after which they would use the prisoners to negotiate whatever other concerns they had. Now, as of the date of that document, those were their proposals. A month later they changed it, but I could see if you make a report to the Politburo in the middle of September and you want to summarize what the negotiating position is. . . .

He goes on to say:

If that document is authentic, and it is hard to imagine who would have forged it, for what purpose, then I think an enormous crime has been committed, and then we should—I do not see how we can proceed in normalizing relations until it is fully cleared up.

Dr. Kissinger himself: "I do not see how we can proceed with normalizing relations until it is cleared up."

Not only has it not been cleared up; we have not even talked to anybody about it.

Dr. Brzezinski:

As far as Vietnam is concerned, I think that if this document is sustained, and it looks unfortunately to be sustainable, we have the right to ask the present Vietnamese government to place those responsible in war crimes trials. . . .

Dr. Brzezinski, President Carter's national security adviser.

Let me repeat this:

As far as Vietnam is concerned, I think that if this document is sustained, and unfortunately it looks to be sustainable, we have the right to ask the present Vietnamese government to place those responsible in war crimes trials. . . .

We did not do that, did we? We just gave them diplomatic relations. We are going to give them money, trade, airplane routes.

Dr. Kissinger:

I don't think that we can normalize relations or ease conditions in international agencies until we have cleared up this issue. . . .

I don't see how we can proceed with North Vietnamese or with Vietnamese normalization until this question is cleared up. . . .

Well, we did. So much for the impact of two National Security Council advisers, very respected, very knowledgeable, certainly more knowledgeable than anyone I know on this issue.

Let us look at what the President says, the Clinton administration denials concerning the 1972 Politburo report on American POW's. This is amazing. You heard Brzezinski, you heard Kissinger, you heard the Russians, the Russian intelligence. Now let us hear what our Government says.

What General Quang told us is not inconsistent with what we knew about him, and I have no reason to disbelieve General Quang.

That is General Vessey.

I have no reason to disbelieve [him].

The number of U.S. POW's mentioned in the document could not be correct. . . .

Now, we are going to get to the CIA. Now we have to trash this thing, blow it up and make sure we could not possibly have any credibility left because we have to normalize. We cannot let this document get in the way.

So the CIA says:

The number of U.S. POW's mentioned in the document could not be correct, they contradict what the U.S. Government knows from years of research and the analysis of thousands of other intelligence documents.

So, the U.S. Government, the CIA, sitting here in Washington, DC, knows more than the Russian intelligence, who were on the ground, allies, knows more than anybody else:

All previously known information and conventional analytical thinking based on this information tend to refute the Russian document. . . . Based on historical information we have amassed. . . .

They do not say where they amassed it. They just amassed it. No proof.

We can assume that there is little evidence to support the claims made in the Russian document.

If I wanted to use profanity on the floor of the Senate—and I will not—there is a word for that, Mr. President. It comes from livestock of the male variety:

While portions of the document are plausible and some portions are accurate and true, evidence in support of its accuracy concerning the POW's is far outweighed by errors, omissions, and propaganda which detracts from its credibility.

Deputy Assistant Secretary of Defense for POW/MIA Affairs.

Let us drop down to Malcolm Toon, the U.S. Chairman, Joint Commission on POW/MIA's:

I am now prepared to accept as the best available answer to this annoying problem.

It is now an annoying problem. That is a very interesting choice of words, an annoying problem. Here is a guy out of the Communist archives of the Soviet Union, a general who was in a position to know almost everything about POW/MIA's, saying that they had more POW's and MIA's to the turnback, and now it is an annoying problem.

You bet your boots it is an annoying problem. If you want to normalize relations with a government that held them, it sure as heck is an annoying problem. That is what it says, an annoying problem.

But this is the one here. This is Robert Destatte, Vietnam analyst, Defense POW/MIA Office, statement to the Russian Government in August 1995. This is bizarre. Destatte is over there. And here is what he says. He is now going to argue with the Russian intelligence. He knows more about it than they do:

We have accurate knowledge of the movement of prisoners through the Vietnamese prison system. We have accurate knowledge of the numbers and locations of each of the detention camps in North Vietnam, (not only North Vietnam] South Vietnam, Laos, and Cambodia. Regarding the number of 1205,

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taking into consideration the Americans who are unaccounted for, it's impossible to come up with the figure 1205. . . . We cannot accept that figure. . . . If we look at the document, we know where Trac Van Quang was at the time. We also know what his position was. It's highly unlikely that Trac Van Quang would have presented a report on these issues to the Politburo. . . .

Listen to that. It is highly unlikely. A very clear, precise word. "Highly unlikely that. . . . Quang would have presented a report on these issues to the Politburo." That he would have is highly unlikely. "We cannot accept that figure. . . ." Baloney. They do not know what they are talking about.

We are told that there is no way that the numbers add up; General Quang did not, could not, have given the report. In fact, we are told there is no reason to disbelieve Quang. I think the fact that he is a North Vietnamese Communist general that waged war on American soldiers for an entire decade, a Vietnamese general who waged war on American soldiers for a decade, is that not enough reason not to brush this report aside? Do you not think he knew what he was talking about? It was not a propaganda piece. It was a document allegedly of an actual transcription of what he said. He is talking to the Politburo in Vietnam. He is not talking to the world out there trying to convince them of something.

It is amazing that the Clinton administration is so confident on this point. The Russians say it is accurate, that Quang did, in fact, give this report. And the Clinton administration says there is no reason to believe Quang. It is an annoying problem.

I cannot imagine—I am not an attorney, but in a court of law, if you were trying this case, I cannot imagine not getting a conviction that this document was real. If the administration wants to talk about whether the numbers make sense, let us look at the breakdown. The numbers certainly are not impossible. The word was that there could not possibly be that many POWs.

Well, here they are. There are the 2,170 lost in North Vietnam, South Vietnam, Laos, Cambodia, China. Total: 1,101. Those are missing.

Here are the ones KIA/BNR, another 1,000. We do not know for sure that every one of them is KIA/BNR, body not recovered. So there is certainly enough in the numbers. Baloney.

If the numbers do add up, why should the administration let Vietnam off the hook on these Russian documents? Why do we not at least investigate?

Let us take Laos as an example. We have 233 personnel missing from Laos; another 178 that we believe died during the war. So 233, 178, equals 411 in Laos. In the Politburo report General Quang states:

From other categories of American servicemen in Indochina, we have captured 391 people, including. . . 43 in Laos.

Well, you are talking about 471. It would seem to me that if you add 391 and 43, you are somewhere in the vicinity

of 430. And if 471 are missing from Laos, you do not have to be a rocket scientist to figure out there could be 430 people that we do not have accounted for. . . .

Now, let me read from the excerpts from declassified minutes of a White House situation briefing in January 1973, 4 months after Quang's secret report.

During that White House meeting, Admiral Daniel Murphy of the Department of Defense stated:

We don't know what we will get from Laos.

We are back in 1973 now:

We don't know what we will get from Laos.

We have only six known prisoners in Laos, although we hope there may be 40 or 41.

Mr. President, that is almost the exact number referenced by General Quang.

We never got any POW's back from Laos. Not one. Not one. Nine were sent back by the North Vietnamese into Vietnamese prisons. Not one, including David Hrdlicka, even though he was filmed and those films were sent all over the Communist world. Never got one back. Not one. And they were captured and they were held.

I was in Laos, flew in by helicopter, went up into the remote areas of the caves where Hrdlicka was held. We talked to the villagers who held him. We know he was held there. He was alive. They know what happened to him, too. I am not saying he is alive. I do not know that. My point is they know what happened to him, and there were others captured along the Ho Chi Minh Trail and Laos by Vietnamese units and taken into Vietnam. As I say, nine of them were Americans. Only nine of them ever came home.

In our committee hearings in 1992, Larry Eagleburger had sent a memo to Dr. Kissinger. He was a DOD official at the time. He sent a memo to Dr. Kissinger recommending military action to get back American POW's believed to be captured in Laos. This was at the time peace accords were being negotiated.

President Nixon said, "It's inconceivable that there were not more names on the POW list from Laos." And this number, this 471, tracks with what General Quang said, Mr. President. He was there. Yet, in spite of all this, in spite of all these comments, in spite of all this information, the President of the United States, William Jefferson Clinton, said "We're getting superb cooperation" from the Vietnamese.

The Vietnamese have turned over one document concerning shootdowns of Americans in Laos. One. One document, and that is it, even though our intelligence agencies believe that the Vietnamese have many more records on who they captured in Laos. We know they do. And you know what, if we get that list, we will find out that they do.

The Pentagon refers to that one document that we have as the "Group 559" document, since the information was apparently compiled from the records

of the North Vietnamese unit in Laos during the war, which was called group 559. I might say that document was provided in September 1993, 20 years later, 2 months after my last visit to Vietnam.

It was during that visit I sat with the Vietnamese and went through declassified documents from our own intelligence agencies page by page and conclusively proved that North Vietnamese units were, in fact, in Laos during the war shooting down and capturing American pilots. I actually read it to them, the Vietnamese. They never heard these before. It was declassified, so it was perfectly appropriate to do it. I actually read them the radio intercepts that we had on these guys being captured. They were shocked. It was the first time anybody of the United States ever sat down with the Vietnamese and gave them graphic evidence and said, "Hey, guys, I'm sorry, don't give me the line anymore because we have the intercepts, we know you captured these guys. We don't know what you did with them 20 years later, but we know you captured them. So why don't you tell us? Stop the game."

Not one shred of information on any of those guys. Not to me that year I was there, not to anybody else after that, but it is splendid cooperation. Mr. President.

So the Vietnamese put together this summary of shootdowns in Laos. They called it the group 559. They turned it over 2 months later, and our analysts at the Pentagon went through that summary and concluded:

The analysis of this document makes it clear that the Vietnamese have additional group 559 records that may contain information useful to POW resolution. This document makes explicit reference to wartime documents from which information was obtained.

Do we have these documents? Do we have these documents? No. But we are getting splendid cooperation. We are getting the oil money pumping over there, opening up the airline routes, get the businesses going because we are having splendid cooperation.

Ask the families, Mr. President, whether they think the cooperation has been splendid. Ask the families if they support normalization with Vietnam.

Since that summary document on Laos losses was turned over in 1993, practically nothing—nothing, for the most part—nothing has been turned over by Vietnam concerning cases of Americans lost in Laos.

All of these people who have come down here and railed against me on this issue over the years, railed against all the things I have said, ask them to come down here and rail about Laos. See what they know about Laos. Ask them to come down on the floor of the Senate and say, "Yes, the Lao and Vietnamese in Laos have given us all the information on the Lao shootdowns." Ask them to do that. See if anybody has the nerve to come down and say that.

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President Clinton has admitted as much in the 6-month overdue report which he provided to Congress on October 5, 1994. In that report, the President stated:

The Vietnamese have not turned over any major documents since September 1993.

It is another year later, and they still have not done it, but we are moving down the old fast track. Vietnam has done nothing credible in terms of releasing these records on American losses in Laos in addition to their high level reports on the politburo on the Russians which I spoke about earlier. The Russian intelligence data that we stumbled on by the action of a researcher named Steven Morris caught them in the act, and yet we have to debunk it. We have to say it is not true because if we say it is true or even indicate it might be true, we cannot normalize.

What I have tried to do is, as I have gone through this—and I must admit I am getting tired, Mr. President, but I cannot be as tired as some of the families are who have waited, so I am going to get through this. Bear with me just a little while longer.

Congressman JAMES TALENT, in a hearing chaired by ROBERT DORNAN June 28, 1995, this is now to Gary Sydow, senior analyst, Defense, POW/MIA Office, Department of Defense.

Question: Has the United States been granted access to Vietnam's wartime central committee level or politburo records pertaining to the subject of American POW's captured during the war in Vietnam, Laos, or Cambodia? Have they given us access to those central committee level or politburo records? Because I understand that is where these matters were discussed. Does anybody know?

In other words, have they given us access to the politburo records General Quang referred to.

Gary Sydow, senior analyst: "The answer to that is no."

That is the end of the statement. I have known Gary Sydow since I have been in the Congress. He is a very respected analyst. He has no agenda. He is a good man. He is telling the truth. He told the truth before Congress. The answer to that is no. But that did not stop normalization. That did not stop normalization, no. We have another agenda.

Even the administration representatives who traveled to Vietnam and those who are now stationed there have done little, in my opinion, to press the Vietnamese for the Quang document.

I have to believe in most cases they are honorable men and women, but why do they not ask for the document, why do they not press for the information? That is not asking too much.

Last Thursday, our new Chargé d'Affaires in Hanoi, Mr. Anderson, met with General Quang. Again, I got excited. He is going to meet somebody other than me. He is actually going to talk to General Quang. He is still alive. He still has this information in his head. So he is going to meet with him, this Mr. Anderson. So I got excited.

According to the press reports, the subject of the meeting was to thank each other for work on veterans issues, including the missing in action from both sides. That is what the meeting was about.

General Quang—they could not ask him for a more credible response on his document. The issue was not even raised, as far as I know. This is very disturbing in view of the fact that our new Chargé d'Affaires, Mr. Anderson, was the State Department's representative on POW/MIA issues during the Interagency meetings at the end of the Carter administration in 1980. He served with Brzezinski. You would think he would be interested in pursuing these matters now that he is at Hanoi. My office called the State Department to find out what was actually said during that meeting. If the subject of the Quang report was not discussed at this meeting last Thursday, I would question what the point is of having diplomatic relations with Hanoi.

If we are going to have diplomatic relations with Hanoi to get the answers, why do we not ask for the answers? President Clinton said it was the best way to get answers on POW/MIA's. If we are not even going to raise the subject—it is obvious that all we are hearing is rhetoric from the administration, and there is no real commitment to serious follow-up on the issue.

Do you know what the sad thing is, Mr. President. I have been on the floor now—I do not even know—a long time. You just wonder how many people really care, other than the families and some who stay focused on this issue. It is so sad. Earlier in my remarks, I quoted assistant Secretary of State Winston Lord when he stated this past may, "We have no reason to believe that the Vietnamese are not making a good-faith effort." Did he talk to Mr. Sydow? If you are listening, Mr. Lord, talk to Mr. Sydow. He has been around a long time. He knows a lot more about the issue than you do. Read the testimony of the committee, Mr. Lord.

I think it is clear, from everything I have gone through today, that the American people are being misled in terms of cooperation, because they are not cooperating. Are they cooperating at all? Yes. If you want to get into semantics, yes, sure. If we pay them several million dollars, we can dig around out in the crash sites, find a few teeth, a few bone parts, airplane parts. Sure. That is reasonable. That is progress. I am not opposed to that.

But that is not enough. I want the records. I want the Politburo access. I hate to say this, but this administration does not want the American people to find out what we already know about our missing POW's, because it is not a pretty picture, Mr. President. If it got out—and it will, but it will be after the fact—it would stop normalization because the American people would go crazy; they would yell and scream and write letters to their Congressmen and Senators, and they would

be outraged. That is why we are not going to see this stuff until it is all done.

That is a sad thing for me to have to stand on the floor of the Senate and say. It is especially true when you look at this next chart of quotes from President Clinton himself and Vice President GORE: "I do not know what more you can do other than to judge people by their words."

President Clinton, before he was sworn in as President, stated this because there was a lot of controversy about his lack of service in the war, and so Vietnam was an issue in the campaign. He said:

I have sent a clear message that there will be no normalization of relations with any country that is at all suspected of withholding information on missing Americans.

That was Bill Clinton prior to his assuming office as President.

During the campaign, he said:

I think that the Vietnamese would be making a mistake if they think they could get, somehow, a better deal from me. I made real commitments to the American people and to the families and friends and the POWs and the MIA's that, you know, we've got to have a full, complete, good accounting before we normalize relations.

I am sorry to have to give you the bad news, Mr. President, but we do not have a full accounting.

AL GORE, the Vice President, who served in Vietnam, was even stronger. He said, in 1993, after he took office:

I'll tell you this. The great push towards normalization of relations is very strong, and a lot of other countries are moving there, but it's not going to go forward until we're satisfied that the Vietnamese government has been totally forthcoming and fully cooperative in giving every last shred of evidence that they have on this issue. We're very concerned about it.

Every last shred of evidence? Oh, my. Last month, the President said that normalizing relations with Vietnam is the best way to ensure further progress. Now it is "further progress." You go from, "we have to get all the answers to normalize" to "if we normalize, we will get more answers." It is a complete reversal, Mr. President, a flip-flop on a campaign promise. The American people need to understand that, and so do the families have to understand that.

The last chart, Mr. President—and this is the last chart and the end of my remarks for tonight—brings it home directly. This basically is a breakdown, by State, of all the missing. As far as I know, every State in the Union has American soldiers missing from the Vietnam war, including nine from my State of New Hampshire. I want my colleagues to understand something. These are not just statistics. Behind every one of those numbers—behind the nine in New Hampshire, behind the 210 in California, behind the 28 in Louisiana, or the 20 in Montana—is a family, a brother, sister, father, mother, wife, husband. They all wait. They all wait. They all wait. All these years, they wait.

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You know, in war, you lose people. People die. People get killed, lost. People are not found. We understand that, and so do the men and women who serve understand that, and so do their families understand it. But that is not what we are talking about here. We are talking about sharing information that this Government has with the American people, so they can make an intelligent decision, through their representatives, about whether or not we should normalize with a country that did this to us. They have withheld this from us all these years, but we have basically done that—normalized with them.

I could go on and on. There is a case involving an aircraft shot down by north Vietnamese forces in Laos 1 week after the Paris peace accord—just a week after the Paris peace accord. Mr. President, when they all were supposedly accounted for. One week after, it was shot down. At the time, there were national security agency radio intercepts, and based on these intercepts, the probable capture and movement along the Ho Chi Minh trail of Americans by the North Vietnamese in this incident. To show you the agony the families have to go through—and I do not want to get into whether it is right or wrong—now the Pentagon wants to bury the entire crew at Arlington because they found half of a tooth at the crash site in 1993.

Now, how do you explain to a family why half a tooth found at a crash site could conclusively tell a family that is their loved one when we had radio intercepts that these guys were taken away from the crash site? How do you do that?

I am told this is only forensic evidence that was recovered and now they want to bury the whole crew. Their names have been taken off the list. That is what it is—get that list down. Even though the Vietnamese may not have provided one shred of documentary evidence as to what happened to these men. They know what happened to these guys. They could tell us. If they died, they know. If they were let off and executed, they know. If they died in captivity, they know.

What do they do? They say, go ahead, take your shovels. We will sell the shovels to you, sell you the bulldozers, or lease you the bulldozers, give you some men at ridiculously high prices for labor, and we will let you go out there and dig around at the crash site when, in fact, we have all the information in the archives. We know what has happened. That is progress. That is the cooperation we are getting.

It is hard for a family to have to deal with that. Imagine yourself, a father or mother, a spouse, to have to look at that report, then he asked to accept a tooth at that crash site when, in fact, you have radio intercepts, intelligence reports that said these men were captured.

I do not know what is right. I do not know if the radio intercepts were right

or wrong but the Vietnamese know. They can tell us. They can tell these families so we do not have to go through this pain anymore.

I have a long list of other cases, and I am not going to go through them. There has been no cooperation of the many requests from Congress for basic information on MIA's.

I hope my reason for taking the time of the Senate tonight, I hope that this issue might somehow, some way, hit home for each of my colleagues. When you look up there in your State and you see that number, think about it. There is a family behind every single number—children, grown now, some of them, children of their own, down at the wall.

I have looked at this issue for 11 years, and I know what I am talking about. I know what I am talking about. Communist Vietnam, Communist Laos, Communist North Vietnam and Communist China, as God is my witness, holds information on American service personnel today as I speak. They hold it and they can account for it.

We do nothing about it except normalize and go on with business as usual as if everything is all right, everything is more important, and then on top of that, we hide it from the Congress in violation of the law to be sure that we get it done.

If we do not pursue the documents, or call into serious question the President's ill-advised decision to normalize, I am offended as a veteran, as a father with two sons and a daughter, any of whom could be sent off to Bosnia.

Mr. President, this is a tough issue. There is no question about it. It is a tough issue. The people say to me, "Senator, why don't you put the war behind you? Why don't you end this?" Because you have to get the truth. That is all we want, is the truth.

We do not want something that you cannot deliver on. If the Vietnamese cannot provide answers, then tell us why they cannot, but provide us unilaterally with everything that you can. Add for God's sake, the United States Government, in a timely fashion, please provide any information that you have so that the families can finally get the peace that they deserve after so many years.

EXHIBIT I

THE SECRETARY OF DEFENSE,
Washington, DC, February 14, 1977.

Memorandum for the President.

I understand that at your meeting on February 11 with leaders of the National League of Families, you indicated that the moratorium on unsolicited status changes for MIAs would continue. From our conversation before that meeting, my understanding is that the Department of Defense should go through all the files, getting ready to move on a program of unsolicited status changes later this year depending upon the outcome of negotiations with the Vietnamese.

Do I correctly understand your wishes?

HAROLD BROWN.

NATIONAL SECURITY COUNCIL.

March 2, 1977.

Memorandum for Zbigniew Brzezinski.

From: Michel Okseberg.

Subject: Letter to Carol Bates of National League of Families.

Attached at Tab A is a reply for your signature to a letter from Carol Bates (Tab B). I chose a reflective reply, since we wish to sustain Mr. Bates' confidence in us. We still have to cross the difficult bridge with these people.

Recommendation: That you sign the letter at Tab A.

NATIONAL SECURITY COUNCIL.

March 15, 1977.

Memorandum for Zbigniew Brzezinski.

From: Michel Okseberg, MD.

Subject: League of Families' Reaction to Presidential Commission to Haol.

Signor are beginning to accumulate that many members of the League of Families are distressed by the purpose of the Woodcock Commission. They believe it is simply a ritualistic effort to obtain an accounting, with the President already having decided that he will accept whatever the Vietnamese give as sufficient to justify movement toward normalization.

I think it important to keep the League on board for as long as possible.

I have just talked to Carol Bates, Administrative Assistant of the League. I think that she is basically a reasonable person, and she indicated to me that a letter from you might enable her to prevent the convening of a meeting and/or press conference that would blast this effort before the Commission returns home with its report.

Recommendation: That you sign the letter to Carol Bates at Tab A.

NATIONAL SECURITY COUNCIL.

March 25, 1977.

Memorandum for Zbigniew Brzezinski.

From: Michel Okseberg, MD.

Subject: Forthcoming Paris Negotiations with the Vietnamese.

You might wish to underscore to the President the desirability of toning down expectations, should a question arise at the press conference about the Paris negotiations.

The Vietnamese media have been vitriolic to their attacks on the U.S. They have explicitly linked aid to recognition. They have begun to release additional communications which passed between the Nixon Administration and the DRV.

Among other considerations, the hardened mood makes it unlikely that we will be obtaining more information on MIAs. At the same time, in response to the President's request, the Pentagon is forwarding recommendations on status review of the MIAs. The Pentagon will recommend that case reviews go forward, i.e., that MIAs be declared MIAs. This will place the President in a difficult political position, should he decide to accept the Pentagon's recommendation. He had earlier pledged not to allow case reviews until adequate accounting had been obtained. And he had raised public expectations that the Vietnamese were going to be more forthcoming on MIA information. Now it looks as if we may be in a deep freeze for at least many months.

Placed in the broadest context, when one considers the Vietnamese statements as well as Congressional votes against aid to Vietnam, we see the inability of two bitter enemies swiftly to place the past behind them, as the President had hoped. I have drafted a Q&A for the President in this realm which I think is appropriate for the occasion and in keeping with his style. You might draw it to his attention (Tab A).

Recommendation: That you mention this to the President before the press conference.

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THE SECRETARY OF DEFENSE,
Washington, DC, May 25, 1995.

Memorandum for the President.
Subject: Status Reviews for Servicemen Missing in Southeast Asia.

You have asked for my recommendations concerning status reviews for MIA's.

As you know, since mid-1973 DoD has conducted status reviews only upon the written request of a missing serviceman's primary next of kin or upon receipt of conclusive evidence of death, such as the return of his remains. The Woodcock Commission concluded (as had the House Select Committee on Missing Persons in Southeast Asia, and the Department of Defense) that there is no evidence that any American servicemen are alive and being held against their will in Southeast Asia.

It is true that the Southeast Asian governments probably have significantly more information about our missing men than they have given to us. There is no reason to believe, however, that continuing to carry servicemen as missing in action puts pressure on Hanoi to provide information on our missing men. In fact, the opposite probably is true: it puts pressure on us to make concessions to Hanoi.

Status reviews, and obtaining of a complete accounting, are two distinct issues. An accounting that confirms death by direct evidence validates a declaration or presumption of death for a missing serviceman, but it is not a legal prerequisite to a status change.

Given the overwhelming probability that none of the MIA's ever will be found alive, I believe the time has come to allow the Secretaries of the Army, Navy and Air Force to exercise their responsibilities for status reviews as mandated by law even though we have not received a full accounting.

Restatement of reviews will of course be controversial. Certain members of the Congress, some families of the missing men, and others will charge that it is an abandonment of one MIA.

The resumption of reviews will be preceded by (1) an expression of our strong commitment to obtaining further information about the missing men and (2) careful preparation of concerned groups for the change of policy. The decision will be discussed forthrightly with the National League of Families.

Appropriate Senate and House leaders and key members will be given advance notice.

The procedures for status reviews will be uniform among the Military Departments, in accordance with legal requirements, and announced through simultaneous letters from the Service Secretaries to the PW/MIA families.

The public will be informed of the reasons for reinstituting status reviews and assured that this does not detract from our determination to obtain an accounting. (I suggest that the public announcement would be most effective coming from you, but I am prepared to make it instead.)

Your decision:
1. Reinstate status reviews in accordance with the foregoing: Approve ☐ Disapprove ☐ Other ☐

2. Presidential statement to approve public: Approve ☐ Disapprove ☐ Other ☐

3. Prepare for your approval a detailed plan of procedure: Approve ☐ Disapprove ☐ Other ☐

HAROLD BROWN.

Mr. THOMAS. Mr. President, I rise today as the chairman of the Subcommittee on East Asian and Pacific Affairs to join with the Senator from New Hampshire in expressing my profound disappointment with the way the

Clinton administration is managing—or more correctly, mismanaging—our bilateral relationship with the Socialist Republic of Vietnam.

My colleagues know that I was not supportive of the President's decision to normalize relations with Hanoi. This opposition was not based on my dislike of that country's Communist dictatorship, or even its brutal repression of its own people—although in this administration's view these two bases seem sufficient to continue to deny recognition to Cuba and North Korea. Rather, I did not believe that we should reward Vietnam with the normalization of relations when, in my opinion and the opinion of many of the Members of this body, Hanoi has not been sufficiently forthcoming with information about our country's missing and dead servicemen in Vietnam and Laos.

I will not rehash the normalization issue; the President made that decision and it serves little purpose to argue about a fait accompli. However, one of the issues that brings Senator SMITH and I to the floor today are the increasing signs that this administration's has decided to explore expanding our bilateral relationship to the economic benefit of the Vietnamese Government while completely disregarding the lack of Vietnamese progress on both the POW/MIA and human rights fronts. Representatives from the State Department and the Office of the U.S. Trade Representative were scheduled to come to the Hill this week to brief our staffs on the administration's decision to move toward expanding economic relations with Vietnam. Apparently, interagency discussions have been ongoing to the topic of extending loans and assistance to the Vietnamese through the Import-Export Bank, the Trade Development Agency, and the Overseas Private Investment Corporation. This at a time when POW/MIA issues remain unresolved, the Clinton administration is in flagrant violation of a law requiring the submission to the Congress of a report about the POW/MIA issue, and two American citizens remain jailed in Vietnamese prisons for advocating democracy in that country. The Senator from New Hampshire has already spoken forcefully to the POW/MIA issue, so I will limit my remarks to the second and third topics.

Mr. President, the Clinton Administration continues to fail to live up to its legal obligations with respect to the POW/MIA issue. For example, section 1036 of the act of October 5, 1994, Public Law No. 103-337, 108 Stat. 2840, requires the Secretary of Defense to provide the Congress with a complete list of missing or unaccounted for United States military personnel about whom it is possible that Vietnamese and Laotian officials could produce information or remains. The statute mandated that the report be submitted to us by November 17, 1994. When the DOD requested an extension of the deadline to February 17, 1995, we did not object. We did not object when the DOD supplied

us with a sadly incomplete interim report. But Mr. President, almost 9 months after that date—and almost a year after it was due to be submitted—we have still not received that complete report required by the statute.

While I acknowledge that the President has wide latitude in the conduct of foreign policy; that latitude does not extend whether his administration abides by the legal requirements of Federal statutes. I and several other Senators wrote the President this summer requesting that the Defense Department comply with the law; we are still awaiting a response. Congress requested the list in order to determine for ourselves whether Vietnam was providing the United States with the fullest possible accounting of our POW/MIA's. Each day that passes without it, I believe, sends us the signal that the administration is indifferent to both our concerns and our role. As the chairman of the Foreign Relations Subcommittee with jurisdiction over Vietnam, I can assure the President that as each day passes without our receipt of the report, the likelihood that any ambassadorial nominee or funding request for that country will be indefinitely held in my subcommittee increases commensurately.

Second, I am very concerned with the seeming disparity with which the Clinton administration has chosen to treat Vietnam's jailing of two American citizens—Tran Quang Liem and Nguyen Tan Tri—versus its reaction to China's arrest of Harry Wu. I spoke at length on the floor on September 5 about Vietnam's atrocious human rights record in general, and the case of these two Americans in particular. In August, a Vietnamese court sentenced Tran and Nguyen who were accused of being counter-revolutionaries and acting to overthrow the people's administration. The two were part of a group trying to organize a 1 day conference in Ho Chi Minh City to discuss human rights and democracy in Vietnam. Radio Hanoi Voice of Vietnam, in somewhat characteristic Communist rhetoric, described their "crimes" as follows:

Taking advantage of our party's renovation policy, they used the pretext of democracy and human rights to distort the truth of history, smear the Vietnamese communist party and state, instigate bad elements at home, and contact hostile forces abroad feverishly oppose our state in an attempt to set up a people-betraying and nation-harming regime. . . . Their activities posed a particular danger to society and was detrimental to national security.

They were sentenced to terms of 4 and 7 years respectively.

When human rights activist and American citizen Harry Wu was arrested in the People's Republic of China this summer, the Clinton administration appropriately raised a huge diplomatic outcry. When Wu was jailed, public calls for his immediate release came from the highest levels of the administration. It was made clear that Mrs. Clinton would not attend the U.N. Women's Conference in Beijing if he

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was still being held, and that other high-level contacts would be disrupted. In essence, the signal went out that business as usual would be suspended until his release.

Well Mr. President, where is a similar outcry about the fate of these two Vietnamese-Americans? The only statement I have seen from the State Department so far was one announcing that they had raised this case with the Vietnamese a number of times, here and in Hanoi. The information available to me and other Members of the Senate, however, indicated that the issue was only being raised at the consular level. It was for that reason that Senator GRAMS introduced, and I co-sponsored, Senate Resolution 174 calling on the Secretary of State to pursue their release as a matter of the highest priority and requesting that he keep the Foreign Relations Committee informed regarding their status. Senate Resolution 174 passed unanimously on September 19, yet since that time the administration gives the appearance of moving ahead with business as usual. I have seen no public statements by the Secretary regarding the case, and as the chairman of the subcommittee of jurisdiction I have not seen any reports on its status. While I have become aware that there have been some behind-the-scenes moves to secure their release, it is no thanks to the State Department that that information came to my attention.

During his campaign for President, then-candidate Clinton lambasted President Bush's relations with China—not dissimilar, I must note, from those Clinton himself has since adopted—and accused him of coddling dictators. Well, Mr. President, with movement toward increased economic aid in spite of the treatment of our citizens, in spite of Vietnam's horrendous human rights record, one might be tempted to ask who's doing the coddling now?

I have no strong objection to the eventual institution of full diplomatic and economic relations with the people of Vietnam. But to move toward that goal while we have these important issues outstanding is, I believe, an affront to the memories of our missing and killed American servicemen, their families, and the families of the two jailed Americans.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT OF THE NOTICE OF THE CONTINUATION OF THE IRAN EMERGENCY—MESSAGE FROM THE PRESIDENT—PM 90

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 302(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Iran emergency is to continue in effect beyond November 14, 1995, to the *Federal Register* for publication. Similar notices have been sent annually to the Congress and the *Federal Register* since November 12, 1980. The most recent notice appeared in the *Federal Register* on November 1, 1994.

The crisis between the United States and Iran that began in 1979 has not been fully resolved. The international tribunal established to adjudicate claims of the United States and U.S. nationals against Iran and of the Iranian government and Iranian nationals against the United States continues to function, and normalization of commercial and diplomatic relations between the United States and Iran has not been achieved. Indeed, on March 15 of this year, I declared a separate national emergency with respect to Iran pursuant to the International Emergency Economic Powers Act and imposed separate sanctions. By Executive Order 12959, these sanctions were significantly augmented. In these circumstances, I have determined that it is necessary to maintain in force the broad authorities that are in place by virtue of the November 14, 1979, declaration of emergency, including the authority to block certain property of the Government of Iran, and which are needed in the process of implementing the January 1981 agreements with Iran.

WILLIAM J. CLINTON,
THE WHITE HOUSE, October 31, 1995.

MESSAGES FROM THE HOUSE

At 9:55 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the following bill, without amendment:

S. 457. An act to amend the Immigration and Nationality Act to update references in the classification of children for purposes of United States immigration laws.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1358. An act to require the Secretary of Commerce to convey the Commonwealth of Massachusetts the National Marine Fisheries Service laboratory located on Emerson Avenue in Gloucester, Massachusetts.

H.R. 1508. An act to require the transfer of title to the District of Columbia of certain real property in Anacostia Park to facilitate the construction of National Children's Island, a cultural, educational, and family-oriented park.

H.R. 1691. An act to provide for innovative approaches for homeownership opportunity and provide for the temporary extension of the rural rental housing program, and for other purposes.

H.R. 2005. An act to direct the Secretary of the Interior to make technical corrections in maps relating to the Coastal Barrier Resources System.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 249) to provide for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as the managers of the conference on the part of the House:

For consideration of the House bill and the Senate amendment, and modifications committed to conference: Mr. KASICH, Mr. WALKER, Mr. ARMY, Mr. DELAY, Mr. BOEHNER, Mr. SABO, Mr. BOMOR, and Mr. STEINBOCK. As additional conferees from the Committee on the Budget, for consideration of title XX of the House bill, and modifications committed to conference: Mr. KOLBE, Mr. SHAYS, Mr. HOBSON, Ms. SLAUGHTER, and Mr. COYNE.

As additional conferees from the Committee on Agriculture, for consideration of title I of the House bill, and subtitles A-C of title I of the Senate amendment, and modifications committed to conference: Mr. ROBERTS, Mr. EMERSON, Mr. GUNDERSON, Mr. DE LA GARZA, and (vacancy).

As additional conferees from the Committee on Banking and Financial Services, for consideration of title II of the House bill, and title III of the Senate amendment, and modifications committed to conference: Mr. LEACH, Mr. MCCOLLUM, Mrs. ROUKEMA, Mr. GONZALEZ, and Mr. LAFALCE.

As additional conferees from the Committee on Commerce, for consideration of title III of the House bill, and subtitle A of title IV, subtitles A and G of title V, and section 6004 of the Senate amendment, and modifications committed to conference: Mr. BILEY, Mr. SCHAEFER, and Mr. DINGELL.

As additional conferees from the Committee on Commerce, for consideration of title XV of the House bill, and subtitle A of title VII of the Senate amendment, and modifications committed to conference: Mr. BILEY, Mr. BLIRAKIS, Mr. HASTERT, Mr. GREENWOOD, Mr. DINGELL, Mr. WAXMAN, and Mr. FALLONE.

CLINTON ADMINISTRATION RECORD
ON COMPLIANCE WITH PUBLIC LAW 103-337
SUBTITLE D -- POW/MIA MATTERS

(Signed into Law by President Clinton on October 5, 1994)

Summary of Law

Did the Administration Comply?

Section 1031 -- Requires the Defense Department to assist Korean War and Cold War POW/MIA families seeking information about their loved ones.

YES _____ NO ☒

Section 1032 -- Requires the Secretary of Defense to recommend changes to the Missing Persons Act within six months (ie: by April 5, 1995).

YES _____ NO ☒

Section 1033 -- Urges Secretary of Defense to establish contact with Communist Chinese Ministry of Defense officials on Korean War American POWs and MIAs.

YES _____ NO ☒

Section 1034 -- Requires Secretary of Defense to provide Congress within 45 days a complete listing by name of all Vietnam-era POW/MIA cases where it is possible Vietnamese or Lao officials can produce additional information.

YES _____ NO ☒

Section 1035 -- Requires two reports to Congress on U.S. efforts to obtain POW/MIA information from North Korea.

YES ☒

(Do the reports show any progress since October, 1994?)

NO ☒

-- Further requires the President to seriously consider forming a special commission with North Korea to resolve POW/MIA issues as recommended by the Senate Select Committee on POW/MIA Affairs in 1993.

YES _____ NO ☒

Section 1036 -- Requires public disclosure of all Defense Department records on American POWs and missing personnel from the Korean War and the Cold War in the custody of the National Archives by September 30, 1995.

YES _____ NO ☒

BREAKDOWN BY STATE
OF UNACCOUNTED FOR AMERICANS
FROM THE VIETNAM CONFLICT

Alabama	42	Nebraska	20
Alaska	2	Nevada	8
Arizona	23	New Hampshire	9
Arkansas	22	New Jersey	58
California	210	New Mexico	16
Colorado	38	New York	138
Connecticut	35	North Carolina	53
Delaware	4	North Dakota	14
Washington DC	9	Ohio	109
Florida	76	Oklahoma	45
Georgia	42	Oregon	42
Hawaii	9	Pennsylvania	110
Idaho	11	Rhode Island	9
Illinois	89	South Carolina	30
Indiana	63	South Dakota	8
Iowa	36	Tennessee	39
Kansas	33	Texas	141
Kentucky	17	Utah	18
Louisiana	28	Vermont	4
Maine	17	Virginia	53
Maryland	34	Washington	51
Massachusetts	50	West Virginia	22
Michigan	69	Wisconsin	36
Minnesota	41	Wyoming	6
Mississippi	18	Puerto Rico	1
Missouri	44	Virgin Islands	1
Montana	20	Civilians*	40

TOTAL -- 2,170

* Civilians list does not include home of record.

CURRENT AS OF: 10/24/95

SUBJECT: MONTHLY PW/MIA STATISTICAL REPORT

1. **BACKGROUND:** The Department of Defense, Washington Headquarters Service, and the Department of State report the current numbers of Americans who are unaccounted for in Southeast Asia:

Figure 1

AMERICANS UNACCOUNTED FOR IN SOUTHEAST ASIA*

<u>COUNTRY OF LOSS</u>	<u>PW/MIA</u>	<u>KIA/BNR</u>	<u>TOTAL</u>
NORTH VIETNAM	336	257	593
SOUTH VIETNAM	430	591	1021
LAOS	293	178	471
CAMBODIA	36	41	77
CHINA	6	2	8
TOTAL	1101	1069	2170

* Status as of Homecoming

Figure 2 summarizes all unaccounted for Americans in Southeast Asia by components:

Figure 2

US LOSSES BY SERVICE COMPONENT

<u>COMPONENT</u>	<u>PW/MIA</u>	<u>KIA/BNR</u>	<u>TOTAL</u>
USA	353	312	665
USN	115	316	431
USMC	101	174	275
USAF	498	259	757
USCG	0	1	1
CIVILIAN	34	7	41
TOTAL	1101	1069	2170



INTERNATIONAL
SECURITY AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

2400 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-2400



28 OCT 1994

In reply refer to:
I-94/51261

Honorable Sam Nunn
Chairman, Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The Fiscal Year 1995 National Defense Authorization Act, Public Law 103-337, Section 1034 contained a request that the Secretary of Defense report not later than 45 days to the Congress specified information pertaining to United States personnel involved in the Vietnam conflict who remain unaccounted for.

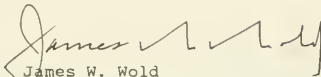
This letter is to advise you the study is underway and that considerable progress has been made, but it is unlikely the report will be finalized by the time requested. It is anticipated that the report will be finalized within 135 days, at which time it will be forwarded to your committee for review.

The Defense POW/MIA Office is reviewing over 2100 case files of unaccounted for military service members lost in Vietnam and Laos. We also will review the cases of personnel lost in parts of Cambodia that were under Vietnamese control during the war to judge the possibility the Vietnamese may have knowledge of men lost in those incidents. The comprehensive review must be carefully constructed to reinforce current and near term negotiations. Specifically, there is great potential for any "new" list to cause confusion for the governments of Vietnam and Laos. This concern resulted in an inter-agency agreement that we would not produce any new lists.



Your continued interest and assistance in this important issue are appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "James W. Wold". The signature is fluid and cursive, with the first name "James" being more prominent and the last name "Wold" written in a series of connected loops.

James W. Wold
Deputy Assistant Secretary of Defense
(POW/MIA Affairs)

cc:

Senator Strom Thurmond
Senator Robert C. Smith ✓
Senator John Kerry
Senator John S. McCain

BOB SMITH
NEW HAMPSHIRE

United States Senate

WASHINGTON, DC 20510-2903

November 15, 1994

General James W. Wold (USAF-ret.)
Deputy Assistant Secretary of Defense
for POW/MIA Affairs
Defense POW/MIA Office
The Pentagon
Washington, D.C. 20301-2400

Dear General Wold:

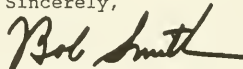
Thank you for your letter to the Senate Committee on Armed Services concerning requirements for information on Vietnam-era POW/MIAs contained in Section 1034 of Public Law 103-337 (FY95 Defense Authorization Act.)

I do not intend to raise objections to your request for an extension of 90 days from November 18, 1994 in order for the required report to be finalized. Indeed, I share your concern that the list be as thorough and comprehensive as possible. At the same time, however, I would point out that your office has been aware of this pending requirement for several months, and at no point was any objection raised when the required 45 day deadline was considered by our own Committee, the full Senate, and the Conference Committee.

Moreover, as a legislator, I do take strong exception to your inaccurate characterization of Section 1034 as a "request" instead of a "requirement" as stipulated in the law. I am also concerned with your statement that, because of concerns on the impact a new POW/MIA list may have on the governments of Vietnam and Laos, an interagency panel has decided not to produce any new lists. As you know, public law certainly takes precedence over interagency agreements.

Again, thank you for your letter. I would urge you to ensure that the required list is finalized as soon as possible.

Sincerely,



BOB SMITH

United States Senator

/dc
enclosure
cc: Senator Strom Thurmond
Senator Sam Nunn

United States Senate

WASHINGTON, DC 20510

January 24, 1995

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

We are writing to request that you not open diplomatic liaison offices with the Socialist Republic of Vietnam (SRV) without first giving the Congress the opportunity to review the information on POWs and MIAs required within 45 days under Section 1034 of Public Law 103-337.

As you know, the Secretary of Defense is required under Section 1034 to provide us with a complete listing by name of all missing and otherwise unaccounted for U.S. personnel about whom it is possible that Vietnamese and Laotian officials can produce additional information or remains. This information was required by November 17, 1994. However, the Department of Defense subsequently requested an extension to February 17, 1995 to which we did not object. We now understand that there is a possibility the Department of Defense may not fully comply with this requirement by February 17th.

We are, therefore, concerned with Assistant Secretary of State Winston Lord's announcement on January 12, 1995 that U.S. and SRV diplomatic liaison offices in Hanoi and Washington would be opened "within a few weeks." While we are aware that an agreement on this matter was initialed in December between Vietnam and the United States, we trust that you will not allow this agreement to take effect without first fulfilling the straightforward requirement contained in Section 1034 of Public Law 103-337. We wish to emphasize that we would be extremely concerned if any level of diplomatic relations was established with Vietnam before the 104th Congress has had the opportunity to review the information required under Section 1034.

During the Congressional debate on lifting the trade embargo against Vietnam last year, there was sharp division on whether Vietnamese officials are being fully forthcoming on the POW/MIA issue (a 14 vote difference in the House on the Snowe amendment, and a 16 vote difference in the Senate on the Dole/Smith amendment). Since that time, we understand that Vietnamese

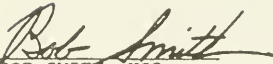
The Honorable William J. Clinton
January 24, 1995
page 2

officials have refused, as recently as last October, to further discuss U.S. concerns about relevant documents from Russian archives. We further understand that they have continued to withhold key politburo and Ministry of Defense records in Hanoi.

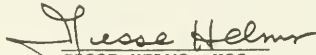
Finally, we have been made aware that a detailed account of POW/MIA information being withheld by Vietnamese officials was recently disclosed to the press by a former DIA contract agent. Given these revelations, we believe most members of the new 104th Congress would be concerned about the level of cooperation we are receiving from Vietnamese officials. We also believe that these disclosures, and the apparent Vietnamese unwillingness to provide key information, underscores the need for your Administration to fully comply with Section 1034 of Public Law 103-337 before proceeding on the diplomatic front with Vietnam.

We thank you for your assistance on this matter.

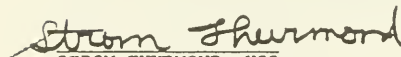
Sincerely,



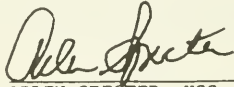
BOB SMITH, USS
Member, Committee on
Armed Services



JESSE HELMS, USS
Chairman, Committee on
Foreign Relations



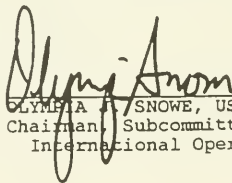
STROM THURMOND, USS
Chairman, Committee on
Armed Services



ARLEN SPECTER, USS
Chairman, Select Committee
on Intelligence

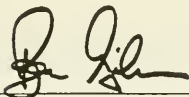


CRAIG THOMAS, USS
Chairman, Subcommittee on
East Asian and Pacific Affairs

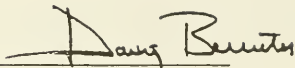


OLYMPIA J. SNOWE, USS
Chairman, Subcommittee on
International Operations

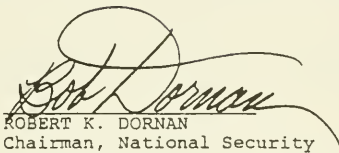
The Honorable William J. Clinton
January 24, 1995
page 3



BENJAMIN A. GILMAN, MC
Chairman, Committee on
International Relations



DOUG BEREUTER, MC
Chairman, International
Relations Subcommittee on
Asia and the Pacific



ROBERT K. DORNAN
Chairman, National Security
Subcommittee on Military Personnel

THE WHITE HOUSE

WASHINGTON

January 26, 1995

Dear Senator Smith:

Thank you for the letter you and your colleagues wrote on the subject of the U.S. and Vietnam opening liaison offices in each others' capitals.

When I lifted the trade embargo and announced our intention to open liaison offices in February of last year, I did so in order to advance the goal of achieving a full accounting for our POW-MIAs. The purpose of the liaison office is to enhance our ability to achieve such progress, and I made very clear at the time that the setting up of liaison offices does not constitute the establishment of diplomatic relations between the U.S. and Vietnam. You should note that the office is being opened under the framework of the 1963 Geneva Convention on Consular Relations. I continue to believe that any decision on normalizing relations with Vietnam depends on additional progress in accounting for our POW-MIAs.

Our policy of pressing for additional progress is achieving results in the four areas I stipulated: concrete results from efforts by Vietnam to recover and repatriate American remains; continued resolution of discrepancy cases, live sightings and field activities; further assistance in implementing trilateral investigation with the Lao; and accelerated efforts to provide all POW-MIA-related documents that will help lead to genuine answers. However, I am not fully satisfied that progress has been sufficient to justify moving beyond the steps we agreed to last year. I want to assure you that I will continue to press for additional progress before taking steps to normalize relations with Vietnam.

Regarding the opening of the liaison office, we have worked over the last years to resolve technical and legal issues involving financial claims related to the war and the return of former U.S. government properties. We have kept Congress fully informed of the progress of those negotiations. Now that the problems have been resolved, we will sign a diplomatic property agreement and a claims settlement agreement on January 28, 1995 in Hanoi. Shortly thereafter, the United States Liaison Office in Hanoi and the Vietnamese Liaison Office in Washington will be officially opened.

With respect to the report required by Public Law 103-337 providing a list of all U.S. POW-MIAs about whom Vietnamese or Laotian officies can produce additional information or remains, the Defense Department is preparing the report and will forward it as soon as possible. I wish to reiterate that the liaison office will facilitate the work of full accounting, as well as enable consular services to be provided to the growing number of American citizens travelling to or working in Vietnam. It would not, therefore, be in the interest of the goal of full accounting to delay the opening of the liaison office.

Thank you again for your continued interest in this issue. My Administration will continue to work closely with the Congress on Vietnam policy, and I appreciate hearing your views.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Clinton".

The Honorable Bob Smith
United States Senate
Washington, D.C. 20510

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BC-SASC-PERRY-SHALI SKED
The Federal News Reuter Transcript Service

SENATE ARMED SERVICES COMMITTEE HEARING

SUBJECT: DEFENSE DEPARTMENT AUTHORIZATION REQUESTS FOR FY
'96

CHAIRMAN: SENATOR STROM THURMOND (R-SC)

WITNESSES: WILLIAM PERRY, SECRETARY OF DEFENSE
GENERAL JOHN SHALIKASHVILI, CHAIRMAN, JOINT CHIEFS OF STAFF

SEN. THURMOND: I understand that Senator Lott has yielded to
Senator Smith. Senator Smith.

SENATOR ROBERT SMITH (R-NH): Thank you, Mr. Chairman. I
very much appreciate the courtesy of the senator from
Mississippi as I have another commitment, as we all usually do
from time to time.

SEN. SMITH: Final question, Mr. Chairman. In last year's

defense bill, we had a provision in there for the Defense
Department to provide a list of the POWs and MIAs from the
Vietnam War that the Lao and the Vietnamese probably could
provide us more information on, based on the information on --
our best information from our intelligence community. And that
was a 45 day provision, and the department asked for additional
time -- which was understandable -- to put the list together.
We now have a target date of February 17th. Can we meet that,
or are we going to have to --

SEC. PERRY: Yes.

SEN. SMITH: Thank you.

SEC. PERRY: Thank you very much.

BOB SMITH
NEW HAMPSHIRE

United States Senate

WASHINGTON, DC 20510-2903

February 9, 1995

Dr. Joseph S. Nye, Jr.
Assistant Secretary of Defense
for International Security Affairs
Department of Defense
Washington, D.C. 20301

Dear Joe:

At a hearing of the Senate Committee on Armed Services earlier today, Secretary of Defense Perry assured me that he intended to comply with Section 1034 of Public Law 103-337 concerning Vietnam-era POW/MIAs by February 17, 1995. As you know, I was the original sponsor of this amendment when it first passed the Senate in July, 1994.

As the two required listings are prepared for the Secretary to review and submit to Congress by next Friday, I wish to again emphasize that the information should be provided in the exact manner required by law. The language in the law was extensively discussed prior to unanimous Senate passage in July, 1994, and at no point did the Defense POW/MIA Office express any reservations with the language that was shared with them at the time.

Specifically, the Secretary of Defense is required to submit the following two listings concerning Vietnam-era POW/MIAs:

(1) A complete listing by name of all such personnel about whom it is possible that officials of the Socialist Republic of Vietnam can produce additional information or remains that could lead to the maximum possible accounting for those personnel, as determined on the basis of all information available to the United States Government.

(2) A complete listing by name of all such personnel about whom it is possible that officials of the Lao People's Democratic Republic can produce additional information or remains that could lead to the maximum possible accounting for those personnel, as determined on the basis of all information available to the United States Government.

Dr. Joseph S. Nye, Jr.
February 9, 1995
page 2

You will note that the requirement does not ask for the list to be prepared according to which Southeast Asian country an actual loss incident is believed to have occurred (Vietnam, Laos, Cambodia). The reason for this is because there were many cases in northern Laos and along the Ho Chi Minh trail where Vietnamese officials, in addition to Pathet Lao officials, should be able to produce additional information or remains. Additionally, while the current Vietnamese/Lao border may be ambiguous in some areas, there is no doubt that North Vietnamese units established and controlled the Ho Chi Minh trail areas in Laos, in addition to directing Pathet Lao activities in Sam Neua Province during the war. It is my hope that the two listings will accurately reflect this reality which is well-documented by U.S. intelligence information, JTF-FA witness interviews in Southeast Asia, and Vietnamese archival data provided to date.

I thank you for your personal efforts to ensure that the Secretary of Defense provides Congress and the American people with the defense intelligence community's best collective judgement on which POW/MIA cases we might expect Vietnamese and Lao officials to be more forthcoming.

Again, thank you for your assistance on this important issue.

Sincerely,

A handwritten signature in cursive script that reads "Bob Smith".

BOB SMITH
United States Senator

/dc

INTERNATIONAL
SECURITY AFFAIRS

ASSISTANT SECRETARY OF DEFENSE

2400 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-2400

10 FEB 1995

Honorable Robert C. Smith
United States Senate
Washington, D.C. 20510-2903

Dear Senator Smith:

I received your February 9, 1995 letter regarding the Department of Defense response to the requirements of the Fiscal Year 1995 National Defense Authorization Act, Public Law 103-337, Section 1034. As Secretary of Defense Perry stated yesterday, the Department will respond to the legislation by February 17, 1995.

Let me assure you that our response to this congressional requirement will be provided in compliance with the law. I appreciate your comments on cases in northern Laos and along the Ho Chi Minh Trail where Vietnamese officials in addition to Laotian officials could have additional information or remains. I have passed your comments along to the Defense POW-MIA Office and have been assured that our report will address such cases.

Again, I appreciate your views regarding the preparation of our report for Congress.

Sincerely,

Joseph S. Nye, Jr.





THE SECRETARY OF DEFENSE
WASHINGTON THE DISTRICT OF COLUMBIA

17 FEB 1995

Honorable Strom Thurmond
Chairman, Committee on Armed Services
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

I am submitting this report in response to the requirements of the Fiscal Year 1995 National Defense Authorization Act, Public Law 103-337, Section 1034. In accordance with the legislation, the Department of Defense is required to submit to Congress "a complete listing by name of all such personnel about whom it is possible that officials of the Socialist Republic of Vietnam can produce additional information or remains that could lead to the maximum possible accounting for these personnel, as determined on the basis of all information available to the United States Government." The legislation levies the same requirement with regard to the Lao People's Democratic Republic. The initial 45 day reporting requirement on this action was extended to February 17, 1995.

In response to this legislation, the Department of Defense has initiated a comprehensive review of each case involving an American who never returned from Southeast Asia. The United States Government currently lists 2,211 Americans as unaccounted for in Southeast Asia as a result of the Vietnam War: 1,621 in the Socialist Republic of Vietnam, 505 in the Lao People's Democratic Republic, 77 in the Kingdom of Cambodia, and 8 in China.

As of February 12, 1995, nearly fifty percent of all cases have been reviewed as part of this process. A preliminary assessment indicates that, as a result of our improved joint accounting process with the Vietnamese and Lao, we may be able to further pursue leads developed in past years which did not lead to resolution of cases at that time, but might do so now after joint investigation. This is particularly the case with a small group of cases involving either witness reports or Vietnamese press reports of grave recoveries. Completion of this painstaking case-by-case review will take at least several additional months, at which time these findings will be reported to Congress.

In terms of the specific language of this reporting requirement, the Administration's conclusion, based on the information now available to it, is that it is "possible" that additional information can be provided on all 2,211 cases. Simply put, the Administration cannot know for certain whether the Socialist Government of Vietnam or the Lao People's Democratic Republic possess

any additional information or remains. For this reason, we must continue to seek information about all of these cases.

The Administration, however, recognizes that some cases are less likely than others to be resolved. For example, it is unlikely that Vietnam has information regarding the vast majority of cases involving losses in the waters off Vietnam. Nevertheless, the possibility still exists that some of the remains from these incidents, or information about the remains, could have been recovered at the time of the loss, or subsequently. We are, therefore, reviewing all overwater cases for any indications that might warrant further investigation.

In order to maximize the prospect for results, the Clinton Administration has given priority to seeking tangible progress in four key areas:

- concrete results from efforts by Vietnam to recover and repatriate American remains;
- continued resolution of discrepancy cases;
- further assistance in implementing trilateral investigations with Laos; and
- accelerated efforts to provide all POW/MIA related documents that will help lead to genuine answers.

The remainder of my report discusses the progress that has been achieved in each of the these four categories and, in that context, provides lists of names in these priority areas.

A. Recovery and Repatriation of Remains

During the first two years of the Clinton Administration, there has been considerable progress in the recovery and repatriation of remains. Specifically, 204 sets of remains have been repatriated from Vietnam and Laos, of which 49 sets have been identified by the United States Army Central Identification Laboratory. Additional identifications of remains repatriated to CILHL are anticipated this year.

Within the overall category of repatriation and recovery of remains, the Special Remains cases are a priority. The Special Remains List provided to the Vietnamese in August 1993 identified 84 cases involving 98 Americans whose remains were in the custody of Vietnamese authorities, but who have not been located, identified, or repatriated. These cases are subdivided into four categories: photo cases involving Americans depicted in Vietnamese combat photos; Died-in-Captivity List cases received from the Vietnamese in 1973; cases listed on Vietnamese grave registers for which there is no accounting; and cases where field investigations have found Vietnamese witnesses who indicated that Vietnamese officials had previously recovered remains from wartime burial sites for which it appears that remains have not yet been repatriated.

In August 1993 the Administration asked the Government of the Socialist Republic of Vietnam to provide a comprehensive report on the results of their efforts to develop information on these 98 individuals. To date, no such comprehensive report has been provided, although Vietnamese officials have provided limited information relevant to the investigation of some of these cases. Two cases involving three individuals have been resolved; the names of the 95 remaining individuals included in this category are listed in Enclosure A. Eight cases involving 11 individuals are currently scheduled for excavation. In addition, we will jointly reinvestigate 10 cases involving 13 individuals later this year.

Another category of cases that receives priority attention from the Administration involves combat photos from Vietnamese files depicting deceased American personnel and material in Vietnamese custody. Many of these cases have been presented to Vietnam in two so-called "photo-books," one by Secretary of Defense Cheney, Secretary of State Eagleburger and General Vessey in 1992 depicting 23 individuals and another by Senator Kerry in 1993 depicting 71 individuals.

In discussing these photograph cases, it is important to recognize that roughly three-fourths of them overlap with the special remains cases discussed above or the discrepancy cases discussed immediately below. To eliminate duplication in this report's listing of names, those individuals whose names appear on more than one list are only cited once. With respect to the photo cases, it is important to note that each has been investigated at least once, and that they continue to be a priority area in our ongoing joint activities. A list of the 25 individuals appearing on the photo lists but not duplicated on the Special Remains List is provided in Enclosure A.

B. Continued Resolution of Discrepancy Cases

The Last Known Alive--also known as priority discrepancy--cases, about which the Congress has been briefed extensively, involve American personnel who were known to have been alive for at least some time following the loss incident. However, neither they nor their remains were returned when other American POWs were returned in 1973.

With respect to Vietnam, significant progress has been made in resolving the original cases. Of these, 24 have been accounted for through the repatriation of remains. Relative to the remaining 172, joint operations combined with the formation of the Priority Case Investigation Team in 1993, have enabled us to confirm the fate of all but 55 individuals.

The Priority Discrepancy Case section is presented in Enclosure A in two parts, the 55 individuals whose fates have yet to be confirmed and the 117 whose fates have been confirmed, but who remain unaccounted for. Throughout this section, those names listed previously in this enclosure have been omitted to avoid duplication. Each of the cases involving individuals whose fate we still seek to confirm has been investigated at least once, with some having been investigated as many as nine times. While the Administration will continue to give high priority

to resolving all priority discrepancy cases, it also recognizes that some may never be fully resolved.

In Laos there are 44 priority discrepancy cases involving 81 individuals which are still being investigated. A list of these 81 individuals is provided in Enclosure B. More than half of the 81 individuals on this list were last reported in areas of Laos that were subject to Vietnamese control at the time. If additional information exists about these cases, it is therefore possible that the Government of Vietnam, as well as the Government of Laos, could have such information. It is for this reason that both General Vessey, in 1992, and the Joint Task Force Full Accounting in 1993, provided Vietnam with a list of 49 individuals associated with Viet-Lao border area cases. Of the 49 names, 43 are included in the Lao Priority Discrepancy Case section of Enclosure B. The remaining six individuals are included in the Viet-Lao Border Case section of the enclosure. The Administration continues to pursue these cases with both countries and is planning to investigate many of them trilaterally, now that procedures have been worked out for such investigations.

With respect to live sightings, investigations of 63 alleged live sightings have been conducted over the past two years, none of which have yielded any evidence of a live POW. The Administration continues to attach great importance to the timely investigation of all live sightings and has made good progress in eliminating a backlog of cases awaiting investigation. At present, all but one live sighting investigation in Vietnam have been completed, and the Administration is pressing Vietnam to assist in the completion of the remaining case.

C. Trilateral Cooperation

Many of our MIAs in Laos were lost in areas of the country near the border with Vietnam which were under Vietnamese control. While the Administration continues to press both Vietnam and Laos individually to see if they have any additional information about these cases, one of the most promising areas of progress involves trilateral cooperation in which all three countries cooperate. In particular, the United States has long believed that the participation of Vietnamese witnesses at investigation sites in Laos could greatly facilitate the prospects for success of these investigations. As the result of an agreement between Laos and Vietnam in December 1994 on new procedures for cross-border witnesses, the Joint Task Force-Full Accounting (JTF-FA) has been able to conduct two trilateral investigations in Laos in Fiscal Year 1995.

D. Documents

Over the past two years, Vietnam has provided a number of important documents to the United States, including for the first time records from Vietnam's wartime anti-aircraft units along the Ho Chi Minh Trail (the Group 559 documents). Vietnam has also turned over documents from a wartime military-political unit that handled U.S. personnel during the war. A further encouraging development has been the creation of special teams to conduct unilateral searches for key documents in the Vietnamese Ministries of Defense and Interior. The Ministry of

Interior team is interviewing former high ranking cadre in the South who had previously declined U.S. requests to be interviewed.

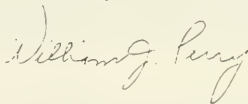
The Administration continues to urge the Vietnamese Government to either provide the specific documents which were requested by the National League of Families during its March 1994 delegation to Vietnam or to provide a comprehensive report explaining why these documents are not available.

In Laos, the Ministry of Defense has also decided to create its own special team to search for documents.

Conclusion

The Administration will continue to seek, as a high priority, the fullest possible accounting of our 2,211 Americans who remain unaccounted for in Southeast Asia. We will continue to press for resolution of the special remains, photo, and priority discrepancy cases. If any new information should be uncovered suggesting that either Vietnam or Laos have additional information about other cases, the Administration will follow up vigorously with the government involved.

Sincerely,



Enclosures:

- A. Unaccounted For Cases on Lists Presented by United States Government Envoys to Officials of the Socialist Republic of Vietnam
- B. Unaccounted For Cases on Lists Presented by United States Government Envoys to Officials of the Lao People's Democratic Republic

cc:

Honorable Sam Nunn
Ranking Democrat
Honorable John Kerry
Honorable John S. McCain
Honorable Robert C. Smith

**UNACCOUNTED FOR CASES ON LISTS PRESENTED BY UNITED STATES
GOVERNMENT ENVOYS TO OFFICIALS OF THE
SOCIALIST REPUBLIC OF VIETNAM:
A Compiled Listing of Associated Names**

SPECIAL REMAINS CASES

ADAMS, Lee, 1LT, USAF
 ADAMS, Samuel, SSGT, USAF
 ANDERSON, Robert, LT COL, USAF
 APPLEBY, Ivan, MAJ, USAF
 AUSTIN, Carl, CDR, USN
 AVERY, Robert, 1LT, USMC
 BAILEY, John, CAPT, USAF
 BENNETT, Harold, SP4, USA
 BERRY, John, CWO1, USA
 BLOOD, Henry, CIV
 BOSSIO, Galileo, MAJ, USAF
 BRUCH, Donald, Jr., 1LT, USAF
 BURNS, Frederick, LCPL, USMC
 CAMERON, Virgil, LTJG, USN
 COOK, Donald, CAPT, USMC
 COOK, Kelly, LT COL, USAF
 DAVIS, Brent, 1LT, USMC
 DELONG, Joe, PFC, USA
 DI TOMMASO, Robert, 1LT, USAF
 DICKSON, Edward, LT, USN
 DOUGLAS, Thomas, CPL, USMC
 DUSING, Charles, SSGT, USAF
 EISENBRAUN, William, CPT, USA
 ELLIOT, Robert, CAPT, USAF
 EVANS, Billy, JR., SGT, USA
 FERGUSON, Walter, Jr., SSG, USA
 FLANIGAN, John, CAPT, USMC
 FORRESTER, Ronald, 1LT, USMC
 FREDERICK, Peter, LT COL, USAF
 GIST, Tommy, CAPT, USAF
 GRZYB, Robert, CIV
 HAMMOND, Dennis, CPL, USMC
 HARDY, John, JR., 1LT, USAF
 HERTZ, Gustav, CIV
 HICKS, Terrin, CAPT, USAF
 HOPPS, Gary, LT, USN
 HOSKINSON, Robert, CAPT, USAF
 HUARD, James, 1LT, USAF
 HUBBS, Donald, CDR, USN
 HYNDS, Wallace, Jr., COL, USAF
 JOHNSON, Dale, MAJ, USAF
 KALIL, Tanos, CIV
 KIMSEY, William, Jr., CWO2, USA
 KING, Donald, CAPT, USAF
 KNAPP, Fredric, LTJG, USN

LINDSEY, Marvin, MAJ, USAF
 LOGAN, Jacob, LTJG, USN
 LYNN, Doyle, CDR, USN
 MAPE, John, CDR, USN
 MARTIN, John, CAPT, USAF
 MCDONALD, Joseph, 1LT, USMC
 MCELHANON, Michael, MAJ, USAF
 MCPHERSON, Everett, 1LT, USMC
 MILIKIN, Richard, 1LT, USAF
 MILLER, Richard, CAPT, USMC
 MITCHELL, Gilbert, LT, USN
 MOORE, Thomas, TSGT, USAF
 MORRISON, Joseph, MAJ, USAF
 MOSSMAN, Joe, LTJG, USN
 NIEHOUSE, Daniel, CIV
 NORDAHL, Lee, LTJG, USN
 ODONNELL, Samuel, CAPT, USAF
 OLDS, Ernest, MAJ, USAF
 OLSEN, Betty, CIV
 OVERLOCK, John, MAJ, USAF
 PACKARD, Ronald, 1LT, USAF
 PARISH, Charles, LT, USN
 PARKS, Joe, SFC, USA
 PENDER, Orland, JR., LT, USN
 PIRKER, Victor, CPL, USMC
 PITZEN, John, CDR, USN
 RAY, James, PFC, USA
 REITMANN, Thomas, CAPT, USAF
 RICH, Richard, CDR, USN
 ROBERTS, Gerald, LCDR, USN
 ROCKETT, Alton, Jr., CAPT, USAF
 RORABACK, Kenneth, MSG, USA
 SALLEY, James, Jr., SFC, USA
 SCHUMANN, John, MAJ, USA
 SEUELL, John, CAPT, USAF
 SHARK, Earl, SGT, USA
 SMITH, William, PFC, USA
 SWANSON, John, Jr., CAPT, USAF
 TADIOS, Leonard, SGT, USA
 VERSACE, Humberto, CPT, USA
 VISCONTI, Francis, CAPT, USMC
 WALKER, Orien, CPT, USA
 WALLACE, Hobart, Jr., MAJ, USMC
 WEATHERMAN, Earl, PFC, USMC
 WILES, Marvin, LT, USN
 WILKINS, George, LCDR, USN
 WOLOSZYK, Donald, LTJG, USN
 WOOD, Patrick, MAJ, USAF
 WORCESTER, John, LTJG, USN
 YOUNG, Robert, CPT, USA

PHOTO CASES*

ADAMS, John, SGT, USA

BISZ, Ralph, LTJG, USN
 BROWN, Wayne, CAPT, USAF
 DOVE, Jack, CAPT, USAF
 FRYAR, Bruce, LT, USN
 JEFFERSON, James, 1LT, USAF
 MAYER, Roderick, LT, USN
 MCCARTY, James, 1LT, USAF
 MCELVAIN, James, MAJ, USAF
 MELLOR, Fredric, CAPT, USAF
 METOYER, Bryford, 1LT, USA
 MOORE, Herbert, JR., CAPT, USAF
 O'GRADY, John, MAJ, USAF
 OTT, William, CAPT, USAF
 OWENS, Fred, SFC, USA
 PEARCE, Dale, CWO1, USA
 PEDERSON, Joe, SFC, USA
 POGREBA, Dean, LT COL, USAF
 RAMSAY, Charles, CAPT, USMC
 REHE, Richard, PFC, USA
 SHAY, Donald, CAPT, USAF
 SQUIRE, Boyd, MAJ, USAF
 STRALEY, John, PFC, USA
 SYKES, Derri, PFC, USA
 THACKERSON, Walter, PFC, USA

PRIORITY DISCREPANCY CASES*

Cases in Which Fate Has Not Been Determined

ACOSTA-ROSARIO, Humberto, PFC, USA
 ASHLOCK, Carlos, CPL, USMC
 BACKUS, Kenneth, 1LT, USAF
 BORAH, Daniel, Jr., LT, USN
 BRENNAN, Herbert, COL, USAF
 BROWN, Harry, SGT, USA
 BRUCHER, John, CAPT, USAF
 BUCKLEY, Louis, SGT, USA
 CICHON, Walter, SP4, USA
 DALE, Charles, 1LT, USA
 DEMMON, David, SGT, USA
 DUNLOP, Thomas, CDR, USN
 ELLIS, William, Jr., PFC, USA
 ENTRICAN, Danny, 1LT, USA
 ESTOCIN, Michael, LCDR, USN
 FINLEY, Dickie, PFC, USA
 FITZGERALD, Paul, Jr., SGT, USA
 FOWLER, Donald, SP4, USA
 FRANCISCO, San, 1LT, USAF
 GROTH, Wade, SP4, USA
 GUNN, Alan, CWO2, USA
 HAMILTON, John, MAJ, USAF
 HAMILTON, Roger, LCPL, USMC
 HARGROVE, Olin, Jr., PFC, USA

HASTINGS, Steven, SGT, USA
 HELD, John, CAPT, USAF
 HESTLE, Roosevelt, Jr., MAJ, USAF
 HODGSON, Cecil, PFC, USA
 HUNT, Robert, SP4, USA
 IBANEZ, Di Reyes, SGT, USMC
 JEFFS, Clive, 1LT, USAF
 JOHNSON, William, PFC, USA
 LANE, Charles, Jr., CAPT, USAF
 MCLEAN, James, SP4, USA
 MILLNER, Michael, SSG, USA
 MIMS, George, Jr., 1LT, USAF
 MORROW, Larry, SP4, USA
 NEWTON, Donald, SGT, USA
 PERRINE, Elton, CAPT, USAF
 PETERSON, Delbert, 1LT, USAF
 PLATT, Robert, Jr., PFC, USA
 POTTS, Larry, 1LT, USMC
 PRIDEMORE, Dallas, SSG, USA
 ROE, Jerry, 1LT, USA
 RUSSELL, Peter, 1LT, USA
 SCHMIDT, Walter, Jr., 1LT, USMC
 SCULL, Gary, 2LT, USA
 SMALL, Burt, Jr., SP4, USA
 SOYLAND, David, CWO1, USA
 SPARKS, Donald, PFC, USA
 STRAIT, Douglas, SP4, USA
 TATUM, Lawrence, MAJ, USAF
 WHEELER, Eugene, MAJ, USMC
 WROBLESKI, Walter, CWO1, USA

Cases in Which Fate Has Been Determined

APODACA, Victor, Jr., CAPT, USAF
 BABULA, Robert, PFC, USMC
 BADOLATI, Frank, SSG, USA
 BODENSCHATZ, John, Jr., PFC, USMC
 BORTON, Robert, Jr., PFC, USMC
 BOWERS, Richard, CPT, USA
 BRAM, Richard, SSGT, USMC
 CARTER, Dennis, PFC, USMC
 CLARK, Richard, LTJG, USN
 COCHEO, Richard, CIV
 COLLINS, Willard, CAPT, USAF
 COMPA, Joseph, Jr., SSG, USA
 CORNTHWAITE, Thomas, FOR NATL
 CREW, James, 1LT, USAF
 CURLEE, Robert, Jr., SSG, USA
 CUTHBERT, Bradley, CAPT, USAF
 DAHILL, Douglas, SP4, USA
 DERRICKSON, Thomas, CAPT, USAF
 DEXTER, Bennie, A1C, USAF
 DINGWALL, John, GYSGT, USMC
 DODGE, Edward, SFC, USA

DUNN, Michael, LT, USN
 EGAN, James, Jr., 1LT, USMC
 EIDSMOE, Norman, LCDR, USN
 ERSKINE, Jack, CIV
 FISCHER, Richard, LCPL, USMC
 FITZGERALD, Joseph, PFC, USA
 FOSTER, Robert, SSGT, USAF
 GAGE, Robert, CPL, USMC
 GALLANT, Henry, MSG, USA
 GERBER, Daniel, CIV
 GODWIN, Solomon, CWO1, USMC
 GRAF, John, LCDR, USN
 GREENLEAF, Joseph, LT, USN
 GREILING, David, LCDR, USN
 HAGEN, Craig, SGT, USA
 HALL, Walter, 1LT, USA
 HAMM, James, 1LT, USAF
 HARRIS, Gregory, CPL, USMC
 HASENBECK, Paul, PFC, USA
 INNES, Roger, LTJG, USN
 JAKOVAC, John, SGT, USA
 JOHNSON, Bruce, CPT, USA
 KOSKO, Walter, CAPT, USAF
 LEE, Leonard, LCDR, USN
 MALONE, Jimmy, PV2, USA
 MANGINO, Thomas, SP4, USA
 MASSUCCI, Martin, 1LT, USAF
 MCDONALD, Kurt, CAPT, USAF
 MCDONNELL, John, CPT, USA
 MCGAR, Brian, PFC, USA
 MITCHELL, Archie, CIV
 MORGAN, James, MAJ, USAF
 MORRIS, George, Jr., CAPT, USAF
 NETHERLAND, Roger, CDR, USN
 NEWTON, Charles, SSG, USA
 NIDDS, Daniel, PFC, USA
 PATTERSON, James, LT, USN
 PETERSON, Mark, 1LT, USAF
 PHILLIPS, Robert, PV2, USA
 PLASSMEYER, Bernard, 1LT, USMC
 PLUMADORE, Kenneth, LCPL, USMC
 PREVEDEL, Charles, SGT, USA
 ROBERTSON, John, MAJ, USAF
 ROZO, James, SP4, USA
 SAEGAERT, Donald, CWO1, USA
 SCHARF, Charles, CAPT, USAF
 SCHIELE, James, SP4, USA
 SIMPSON, James, CIV
 SITTNER, Ronald, CAPT, USAF
 STEEN, Martin, CAPT, USAF
 STROHLEIN, Madison, SGT, USA
 TAYLOR, Fred, SFC, USA
 TERRILL, Philip, SP4, USA
 TERRY, Ronald, SSG, USA

TROMP, William, LTJG, USN
VAN BENDEGOM, James, SP4, USA
VIETTI, Eleanor, CIV
WALKER, Bruce, 1LT, USAF
WILLS, Francis, PFC, USA
WINTERS, David, PFC, USA
WORTH, James, CPL, USMC

* Names not repeated from prior lists.

**UNACCOUNTED FOR CASES PRESENTED BY UNITED STATES
GOVERNMENT ENVOYS TO OFFICIALS OF THE
LAO PEOPLE'S DEMOCRATIC REPUBLIC:
A Compiled Listing of Associated Names**

PRIORITY DISCREPANCY CASES

Cases in Which Fate Has Not Been Confirmed

ACALOTTO, Robert, SP4, USA
 ARD, Randolph, CWO1, USA
 BAKER, Arthur, CAPT, USAF
 BLANTON, Clarence, LT COL, USAF
 BODDEN, Timothy, SGT, USMC
 BOTT, Russell, SSG, USA
 BOYER, Alan, SGT, USA
 BRASHEAR, William, MAJ, USAF
 BROWN, George, MSG, USA
 BROWN, William, SSG, USA
 BROWNLEE, Charles, MAJ, USAF
 BURNETT, Sheldon, LTC, USA
 CALFEE, James, MSGT, USAF
 CARLOCK, Ralph, MAJ, USAF
 COHRON, James, SSG, USA
 CREED, Barton, LT, USN
 CRISTMAN, Frederick, CWO1, USA
 DANIELSON, Benjamin, CAPT, USAF
 DAVIS, James, SSGT, USAF
 DEAN, Charles, CIV
 DEBRUIN, Eugene, CIV
 DEXTER, Ronald, MSG, USA
 DUCKETT, Thomas, 1LT, USAF
 ECHEVARRIA, Raymond, MSG, USA
 FALLON, Patrick, COL, USAF
 FORS, Gary, CAPT, USMC
 GALBRAITH, Russell, CAPT, USAF
 GARCIA, Ricardo, SGT, USA
 GARDNER, John, 1LT, USMC
 GATES, James, CPT, USA
 GISH, Henry, SSGT, USAF
 GREENWOOD, Robert, Jr., MAJ, USAF
 HALL, Willis, TSGT, USAF
 HANSON, Stephen, CAPT, USMC
 HESFORD, Peter, 1LT, USAF
 HOLLAND, Melvin, TSGT, USAF
 HOLMES, David, CAPT, USAF
 HRDLICKA, David, CAPT, USAF
 HUSTON, Charles, SGT, USA
 JANOUSEK, Ronald, 1LT, USMC
 JOHNSON, Randolph, SGT, USA

JONES, James, SFC, USA
 KANE, Bruce, CPL, USMC
 KING, Charles, SGT, USAF
 KIRK, Herbert, SSGT, USAF
 LAFAYETTE, John, CPT, USA
 LANE, Glen, SFC, USA
 LANEY, Billy, SFC, USA
 LEWIS, James, CAPT, USAF
 LUNA, Carter, LT COL, USAF
 MAUTERER, Oscar, MAJ, USAF
 MAY, David, ILT, USA
 MCINTIRE, Scott, LT COL, USAF
 MULLEN, William, CAPT, USMC
 MUNDT, Henry, ILT, USAF
 OWEN, Robert, SSG, USA
 PALMER, Gilbert, Jr., MAJ, USAF
 PAYNE, Norman, SGT, USA
 PRICE, David, SGT, USAF
 PUGH, Dennis, ILT, USAF
 RAY, Ronald, SSG, USA
 REID, John, CWO1, USA
 SEYMOUR, Leo, SGT, USA
 SHANNON, Patrick, TSGT, USAF
 SHELTON, Charles, CAPT, USAF
 SHUE, Donald, SP4, USA
 SKINNER, Owen, MAJ, USAF
 SMITH, Warren, JR., CAPT, USAF
 SPARKS, JON, CWO1, USA
 SPRINGSTEADAH, Donald, TSGT, USAF
 STANDERWICK, Robert, LT COL, USAF
 STARK, Willie, SFC, USA
 STOWERS, Aubrey, Jr., ILT, USAF
 SUBER, Randolph, SGT, USA
 WALD, Gunther, SGT, USA
 WILLIAMS, Eddie, SFC, USA
 WILSON, Peter, SSG, USA
 WOOD, Don, CAPT, USAF
 WOOD, William, Jr., CAPT, USAF
 WORLEY, Don, SSGT, USAF
 WRIGHT, Thomas, CAPT, USAF

Viet-Lao Border Cases*

HARTZHEIM, John, PO2, USN
 HUNTER, Russell, Jr., CAPT, USAF
 KETCHIE, Scott, ILT, USMC
 KIEFEL, Ernest, Jr., CAPT, USAF
 MILIUS, Paul, CDR, USN
 PIITTMANN, Alan, A1C, USAF

* Names not repeated from above list

BOB SMITH
NEW HAMPSHIRE

United States Senate

WASHINGTON, DC 20510-2903

March 7, 1995

The Honorable William J. Perry
Secretary of Defense
Department of Defense
Washington, D.C. 20301

Dear Secretary Perry:

I am writing to express my deep disappointment with your Department's compliance to date with Sections 1033, 1034, and 1035 of Public Law 103-337 (FY95 Defense Authorization Act). As you know, these sections, which I originally authored, underscore Congressional concerns with the level of cooperation being provided by Communist China, North Korea, Vietnam, and Laos in accounting for American POWs and MIAs.

Concerning Section 1033 (contact by the Secretary of Defense with China on POW/MIAs), your Department has made no discernible progress in establishing contact with the PRC Ministry of Defense on the fate of U.S. POW/MIAs from the Korean Conflict. Moreover, I understand the Defense POW/MIA Office apparently decided not to provide you with talking points on this matter prior to your historic October, 1994 meetings in Beijing with PRC Defense Minister Chi Haotian, even though the Defense Authorization Act was signed into law three weeks before your visit.

Declassified CIA and Air Force intelligence documents from the 1950's and evidence gathered through the work of the Joint U.S./Russian Commission on POW/MIAs demonstrate extensive Chinese involvement with U.S. POWs in both China and North Korea during the war. Even the North Koreans detailed this fact to me during my visits to North Korea in 1991 and 1992. Notwithstanding this information and the passage of 40 years, the Chinese side has failed to clarify the fate of several hundred unaccounted for POW/MIA personnel, and your Department, as with previous Administrations, has failed to formally approach China at a high level on this issue, despite the urging of Congress last October. The only recent non-Congressional contact to date was an informal overture last year by the Archivist of the United States during an international conference of archivists, and two low-level inquiries passed by the Department of State which have not been addressed by the Chinese side. I think you would agree with me that these efforts have been woefully inadequate.

Concerning Section 1034 (listings of Vietnam-era POW/MIAs for whom Communist officials possibly have additional information or remains), the Defense Department's February 17, 1995 response to this Congressional requirement is simply not in compliance

The Honorable William J. Perry
 March 7, 1995
 page 2

with the law. If the Congress had wanted another progress report on the President's four criteria for measuring POW/MIA progress, we would have asked for it, as we did in the FY95 State Department Authorization Act. As you should know, a similar progress report on these issues was already provided to Congress in October, 1994, following a five-month delay by the Administration.

Both Assistant Secretary Joe Nye and Deputy Assistant Secretary James Wold were aware that the intent of the Congressional criteria in Section 1034 was to determine if Vietnamese and Laotian officials are being fully forthcoming on POW/MIAs, in addition to learning the possible number of cases on which information or remains are possibly being withheld. At the request of your Department last October, I agreed to a three month extension of the original 45-day deadline in order for the new report to be prepared. Despite this extension, and the assurances I received from Deputy Assistant Secretary James Wold in December that 10 analysts were working full-time on this requirement, your report alleges that only 50% of the required analysis has been completed.

While your interim response confirms that Vietnamese and Laotian officials are continuing to withhold information and remains pertaining to missing Americans, you have not, by your own admission, provided a complete and updated listing of cases. Instead, your Department has only provided a listing of 343 names of POW/MIAs from lists already passed to Vietnamese and Laotian officials. And, despite requests from my office, Deputy Assistant Wold is withholding from me the names of 242 unaccounted for POW/MIA personnel about whom Vietnamese archives contain information. I have seen information indicating that many of these names are not on the lists of 343 individuals that have been passed to Vietnamese and Laotian officials in recent years. There is no reason for the names of these individuals to be withheld from the Congress.

Your February 17, 1995 letter also acknowledges that a preliminary assessment of the cases reviewed to date (50%) indicates that the Department of Defense "may be able to further pursue leads." Based on my long involvement with this issue, I do not accept that it would take 10 full-time analysts "at least several additional months" to complete a review of these cases. In short, a complete, updated listing of those cases for whom Vietnamese and Laotian officials might have more information or remains should already be available to U.S. policy makers and military leaders, especially those who have consistently praised Vietnamese and Laotian cooperation on this issue.

The Honorable William J. Perry
 March 7, 1995
 page 3

Your acknowledgement that such a listing does not yet exist calls into question President Clinton's repeated assurances to the American people that the POW/MIA issue is being handled by this Administration as a matter of "highest national priority." The failure of your Department to comply with the Section 1034 requirement during the last six months further causes me to conclude that the American people are being misled by this Administration on the extent of Vietnamese and Laotian cooperation on the POW/MIA issue. I also would question whether this listing is being delayed because of the perceived negative impact it will have on the Governments of Vietnam and Laos, as referenced in Deputy Assistant Secretary Wold's letter to me dated October 28, 1994.

Finally, I have received information indicating that the wording of your February 17, 1995 interim letter was "softened" by ISA/AP representatives in your Department. Apparently, these same representatives have been advising the Vietnamese on how to respond to POW/MIA requests from the Administration and how to deal with Members of Congress on this issue (see attached DoD memo dated January 4, 1995). If this information is accurate, I want you to know that I find it to be completely unacceptable. The Congress has every right to request and review information on POW/MIA cases from DoD's intelligence community. This information should not be further subjected to political manipulation by DoD policy makers who may be more concerned with developing U.S./Vietnamese relations and trying to justify the President's decisions on the embargo and the opening of liaison offices.

I would urge you, Mr. Secretary, to let the facts speak for themselves and to let the American people judge for themselves, based on the facts, whether the Vietnamese and Lao Governments are being fully forthcoming on the POW/MIA issue. In this regard, I will look forward to reviewing your complete findings concerning Section 1034. I hope you will ensure that the necessary resources are provided in order for these long-overdue case reviews to be completed in the next few weeks.

Concerning Section 1035 (requiring DoD reports on efforts to obtain POW/MIA information and remains from North Korea), I have reviewed your Department's first report submitted on January 31, 1995. As I have previously told both you and the President, I remain disappointed that no commitments on POW/MIA accounting were obtained from North Korea in response to U.S. concessions on trade and liaison offices which were made during the recent negotiations on the nuclear accord. The President's stated policy toward Vietnam has clearly linked these two issues together, and I fail to see why the POW/MIA families and veterans

The Honorable William J. Perry
 March 7, 1995
 page 4

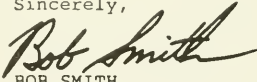
from the Korean War should expect anything less.

Additionally, both Section 1035 and the January, 1993 report of the Select Committee on POW/MIA Affairs urged creation of a high level joint commission on POW/MIAs with North Korea, separate from the Military Armistice Commission. Despite these recommendations from Congress, the Department of Defense is only raising POW/MIA matters at a low level with North Korea through Panmunjom channels. As you know, discussions at this level are now stalemated over North Korea's demand for \$3.5 million as compensation for the return of remains in 1993.

As someone who was directly involved in discussing these matters with North Korea during the Bush Administration, I would strongly recommend that you take action concerning the recommendations contained in Section 1035 and the Select Committee report. I am certain that a high level commission could satisfactorily address the recovery and compensation issues pertaining to POW/MIA remains, in addition to gathering information on those whose fate is still unknown by our side. I know firsthand that there is a wealth of information on POW/MIAs contained in military museums in North Korea. I have been to Pyongyang, and I have seen some of this information. Yet, to date, there has been no follow-up on this matter, and it is mainly because there is no formalized structure or commission, similar to the one we have with Russia, to address these issues.

I hope the above information will help you to refocus your department's efforts to obtain an accounting for American POWs and MIAs from China, North Korea, Vietnam, and Laos. These four communist countries have clearly frustrated our efforts over the years, and the number of U.S. personnel still unaccounted for will attest to this fact. Nonetheless, we cannot allow communist intransigence to deter our resolve to seek and obtain the fullest possible accounting. I, therefore, urge you once again to fully comply with both the spirit and the letter of the POW/MIA provisions contained in Public Law 103-337. I will look forward to your response.

Sincerely,


 BOB SMITH
 United States Senator

/dc

cc: Sen. Helms, Sen. Thurmond, Sen. Specter, Sen. Thomas,
 Sen. Snowe, Rep. Gilman, Rep. Dornan, Rep. Bereuter



POLICY

THE UNDER SECRETARY OF DEFENSE

WASHINGTON, DC 20301-2000



APR - 7 1995
In reply refer to:
I-95/21935

Honorable Bob Smith
United States Senate
Washington, D.C. 20510-2903

Dear Senator Smith:

This responds to your March 7, 1995 letter to Secretary of Defense William Perry concerning the Department of Defense's compliance to date with Sections 1033, 1034, and 1035 of the FY95 Defense Appropriations Act. On behalf of Secretary Perry, I would like to address each of these concerns.

With regard to the call for increased contacts with the Chinese on POW/MIAs, we are vigorously pursuing the POW/MIA issue with the Chinese. In 1992, the Chinese invited an official U.S. Government POW/MIA delegation to Beijing to discuss the issue. CINCPAC then hosted a reciprocal visit in Hawaii in early 1993. Since then, cooperation on WWII and Southeast Asia-related cases has been commendable. For example, in late 1993 and again in September 1994, joint U.S.-PRC teams recovered remains of American airmen from a crash site on a glacier in a remote part of Tibet. In December 1993, the Joint Task Force Full Accounting launched its first joint operation with the Chinese to recover a Southeast Asia War-era loss over Guanxi Province. This was followed in April 1994 by investigations into three other Vietnam War-era cases over Hainan Island. Additional operations are scheduled for June 1995.

We share your concern that the Korean War-era POW/MIA cases be resolved expeditiously and are doing everything possible to elicit Chinese cooperation in this area. The Chinese, although indicating that they had passed all Korean War-related information on Americans to the United Nations Command in conjunction with the release of prisoners and the return of remains immediately after the conflict, agreed to accept Korean War inquiries on a case specific basis. They are working two such cases submitted last year and we hope to hear from them in the next few weeks on these cases. Our goal, like yours, is getting answers to the families of Korean War POW/MIAs as quickly as possible.

With respect to Section 1034 and the report submitted on February 17, 1995, you contend that DASD Wold is withholding the names of 242 unaccounted for POW-MIA personnel about whom Vietnamese archives contain information. If the basis for your "242 name" list statement is Mr. Wold's December 23, 1994 letter, I must stress that his letter was responsive to your earlier question about the number of correlations of cases that had, as of that time, been made with more than 30,000 pieces of archival material (e.g., photographs of personal equipment, copies of newspaper articles, identification cards, crash sites, pieces of material, and other items). The fact that Vietnam has archival information about a case,

however, does not indicate that Vietnam necessarily has additional information which they continue to withhold from the United States. For example, some of the more than 30,000 pieces of archival information are as general as Vietnamese press reports of a shootdown. In other cases, the archival information simply correlates to a crash site which has been known to the United States since the loss incident.

By contrast, the February 17 report submitted to the Congress was based on a very different standard: cases about which it was "possible that officials of the Socialist Republic of Vietnam can produce additional information or remains that could lead to the maximum possible accounting." As you know, in that report we concluded that it was possible that Vietnam had information about any of the outstanding 2,211 cases, but that we could identify three categories of cases where the likelihood was greatest that Vietnam might have additional information:

- Special Remains Cases, based on the list provided to the Vietnamese in August 1993;
- Photo Cases, involving combat photos from Vietnamese files depicting deceased American personnel and material in Vietnamese custody;
- Priority Discrepancy (or Last Known Alive) Cases, listing those American personnel who were known to have been alive for at least some time following their loss incident.

As you can see, it was the different requirements of the two taskings, rather than the withholding of any information, that led to the different numbers. In the spirit of openness which the DOD believes essential on this issue, I am fully prepared to provide you with this letter and outside the scope of the Secretary's February 17 report, the information you requested concerning correlation of cases with this archival information.

Additional review of this archival information since DASD Wold's December 23 letter to you indicates possible correlations in 385 cases involving 625 individuals (updated from the 242 tentative correlations reported to you previously). I have attached to this letter a list of these 625 names. As one would expect, there is some overlap between the listing attached to this letter and the Secretary's report. To eliminate confusion, the 161 names which appear on both lists are so marked. You should also understand that the number of cases associated with this archival material is dynamic. As DPMO continues its analysis of new information obtained through joint operations and unilateral turnovers, additional cases and individuals may be correlated to it.

I have to emphasize that this is not, however, a list of additional names about whom DOD believes additional information is held by Vietnam (or others). An attempt to link the names attached to this letter with those which the February 17 report cited as about whom the Vietnamese government might possibly hold additional information would be misleading the families and the public.

You object that DOD is not providing priority resources sufficient to this effort. As you are aware from the Senate Select Committee review of 1991 and 1992, DOD has committed some 60 people to the analytic staffs at DPMO and Joint Task Force Full

Accounting working the POW/MIA issue. These staffs have been fully engaged in exploiting new information coming to light in the joint investigative process, building upon it, and providing leads to the investigators in the field who are working on priority discrepancy cases, archival and oral history programs, and fullest possible accounting efforts on each of the 2,211 individual cases. Increased cooperation and access since 1992 have produced a significant amount of new information requiring analysis and further exploitation production. Our analysts have been involved in providing analytical support for the growth in field activity that has continued since February 1992. The DOD now spends some \$54 million annually on POW/MIA efforts. This budget has been maintained even as other parts of the DOD budget have been drastically cut.

While we have focused on the Priority cases, we have always understood the need to conduct periodic, thorough reviews of all the cases. Section 1034's impact has been to refocus the analysts' work to conduct this comprehensive review earlier than anticipated. Currently, DOD has committed 22 of the 33 analysts (67 %) within DPMO and an additional 12 analysts from Joint Task Force Full Accounting to working full-time on the comprehensive review. To ensure the type of comprehensive review of all 2,211 cases that both Congress and the families demand and have a right to expect, it is essential that the analysts expend the time and scrutiny required to evaluate every individual's case in the light of all available evidence.

While there will be no arbitrary deadline, I assure you that DOD will continue to give this effort the utmost attention. I am confident the review will be completed during the summer. The Department will report the results of DPMO's review to Congress on its completion.

I regret your charge that ISA, or any other element of the government, sought to "soften" the report prepared under Section 1034. That is simply not the case. The Secretary directed his staff to produce a complete and accurate response to your request. Although there were different views about how things should be put in the report, the final product reflects our best efforts to address the complex issues raised in an objective way.

With regard to your interpretation of the memorandum concerning a meeting with a Vietnamese official, the U.S. official in question was explicating the requirements of greater Vietnamese openness and cooperation and made it clear to his interlocutor that the Vietnamese could not discount even the views that struck them as extreme. I trust you are not greatly surprised to know of the Vietnamese officials' characterizations of you, and I am equally confident that you agree that the impact and influence of legislators like you should not be discounted.

Finally, with regard to Section 1035, you questioned the absence of any linkage between progress on the Korean POW/MIA issue and U.S. actions on liaison offices and trade associated with the agreed to framework. This was done for two reasons. The purpose of the accord is to seek to halt North Korean nuclear weapons development, which poses an immediate threat to regional and U.S. security interests. We did not want to further complicate an already difficult arrangement by attempting to address other issues, such as

Korean War era MIAs. Nor did we want to tie the primarily humanitarian POW/MIA issue to the political, and strategically sensitive nuclear discussions.

The second reason involves our desire not to undermine the current framework of using the United Nations Command and the Korean Peoples Army to resolve outstanding POW/MIA issues. Despite the current impasse over the matter of compensation, we have made progress with the signing of a remains agreement and the return of 208 remains since 1990. We remain optimistic we will eventually achieve joint operations. Authorization by the late North Korean President, Kim Il Sung, of joint operations underscores this view. However, progress with the North Koreans will only come with patience and resolve. There is no reason to believe a higher level, bilateral framework, such as a joint commission, would have achieved any additional success, or have avoided the problem with compensation. Moreover, as a matter of general policy, the U.S. Government attempts to avoid institutionalizing bilateral relationships in armistice-related matters because we believe the Republic of Korea should be included in discussions on Korean War issues.

The Department has complied, and will continue to comply, with both the spirit and the letter of the FY95 Defense Appropriations Act. I greatly appreciate your concern in this issue and share your resolve in seeking the fullest possible accounting of our missing servicemen and getting answers to their families as rapidly as possible.

Sincerely yours,



Walter B. Slocombe

Enclosure:
as stated

cc:

Senator Helms
Senator Thurmond
Senator Spector
Senator Thomas
Senator Snow
Representative Gilman
Representative Dornan
Representative Bereuter

Closing

In conclusion, Mr. Chairman, I would like to stress that the process and the mechanisms necessary to achieve the fullest possible accounting are in place. Although the pace at times can be agonizingly slow, the results I have outlined for this committee today demonstrate that our procedures are effective. We must never forget, however, that the goal of achieving the fullest possible accounting can only be achieved with diligence and hard work. With that in mind, I launched the ongoing DoD comprehensive review of all Southeast Asia cases, which I hope will be completed in mid July. This all-encompassing look at every individual case will provide a solid analytic assessment of the appropriate "next steps" for achieving the fullest possible accounting. Our unaccounted Americans deserve no less. I will work to ensure that we keep our promise to them. Thank you

Statement By

Deputy Assistant Secretary of Defense (POW/MIA Affairs)

James W. Wold

Congressional Hearing on U.S. POW/MIAs

in the Socialist Republic of Vietnam, the People's Democratic Republic
of Laos, and the Kingdom of Cambodia

Before the

House Committee on National Security
Military Personnel Subcommittee

June 28, 1995

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United States Senate

WASHINGTON, DC 20510-2903

August 18, 1995

The Honorable Walter B. Slocombe
 Under Secretary of Defense
 Department of Defense
 Washington, D.C. 20301-2000

Dear Walter:

I am writing to express my concern that the Congress has yet to receive the final results of the comprehensive review of Vietnam-era POW/MIA cases promised by Secretary of Defense Perry in his letter to the Senate Armed Services Committee dated February 17, 1995. As you know this review was initiated in response to Section 1402 of the 1995 National Defense Authorization Act (Public Law 103-161). The intent of which was to require a listing of such cases by November 17, 1994.

In a follow-up letter to me dated April 7, 1995, you stated that the Department of Defense was giving this matter its utmost attention and that you were confident the review would be completed during the summer. You also reiterated that "the Department will report the results of DPMO's review to Congress on its completion." Subsequently, in testimony before Congress on June 28, 1995, Deputy Assistant Secretary of Defense for POW/MIA Affairs James Wold stated that he expected the review to be completed in mid-July. He further stated that the review would provide a solid analytic assessment of the appropriate next steps for achieving the fullest possible accounting. I support Secretary Wold's conclusion on June 28th with respect to this review that "our unaccounted for Americans deserve no less," and that he would "work to ensure that we keep our promise to them."

It is my understanding that the above-mentioned review has now been completed by the Defense POW/MIA Office (DPMO), in conjunction with J2 of the Joint Task Force (Full Accounting) and further understood that the analytical product which resulted from this review has been presented to National Security Council and Department of Defense officials for comment before it is forwarded to the Congress.

As you know, there are many of us in Congress who believe that the results of an honest and thorough analytical review of outstanding POW/MIA cases by DPMO would likely reinforce previous CIA and DoD assessments that Communist Vietnamese and Laotian officials have the ability to unilaterally account for several hundred missing American servicemen.

The Honorable Walter B. Slocombe
 August 18, 1995
 page 2

It is my hope that you will keep the commitment in your letter dated April 7, 1995 to "report the results of the review to Congress on its completion." I certainly understand the obvious interest of DoD and NSC policy level officials in the results of this review, especially in view of Administration statements that Communist Vietnam's "splendid and superb" cooperation on the POW/MIA issue provided justification for the President's decision to expand diplomatic and economic relations with them. Nonetheless, I hope that any objective assessments by DPMO's intelligence analysts will not now be subjected at the policy level to "difficulties about how things should be put in the report," as you described on April 7th. As you know, I previously raised similar concerns about policy level skewing of intelligence information in my March 7, 1995 letter to you regarding Secretary Perry's February 17th interim report.

Accordingly, I request that the analytical results of DPMO's comprehensive review of Vietnam-era cases of unaccounted for personnel be immediately forwarded to the Congress. Aside from relief, there are several members of Congress, working on behalf of constituents and POW/MIA families, who have been waiting nearly a year to scrutinize this information.

Sincerely,

Bob Smith

BOB SMITH
 United States Senator

cc: Senator Robert Dole
 Senator Strom Thurmond
 Senator Jesse Helms
 Senator Craig Thomas
 Congressman Benjamin Gilman
 Congressman Robert Dornan
 Congressman Doug Bereuter

Mr. DORNAN. We are going to start to work together, and we are not going to ruin any careers, but we are looking for a hero to quit in anger and say, yes, it has been politicized and there is a hidden agenda here, and it is the reputation of Bill Clinton justifying his betrayal of freedom when he was a young man. And that is what is going on, General Wold. And I love you, but we are going to talk about that in a minute when I bring you up here.

Any other questions, Mr. Pickett?

[Applause.]

Mr. DORNAN. We are not supposed to allow demonstrations on the House floor or in any other committee, but I understand your frustration.

We will take a short break and come back, and I hope you people in uniform take the message back to the Pentagon where I have a nephew in uniform, a Navy commander. I don't want to single him out for any special comment. I have got another nephew who is an intelligence officer down at Seymour Johnson on his way to Saudi Arabia where maybe he will get blown apart in a barracks by some terrorist.

Now, I have got blood involved in this, and that is why I am not giving up, and I am still smiling.

Thank you. We will take a 5-minute break.

[Recess.]

Mr. DORNAN. The subcommittee comes back into session.

Panel 2 was to have been a panel of Deputy Assistant Secretary of Defense, General James W. Wold, and his senior analyst. I read a document from the Senate floor that Senator Bob Smith of New Hampshire had put in refreshing my memory that when the so-called scrub or comprehensive review was about to take place last year, they assigned 22 of the 33 DOD DIA analysts, and from the Joint Task Force 7 more—or more than that, 11, from the available analysts from Joint Task Force. So that would have made, again, over 30 analysts working on this, and the key ones we were looking forward to.

General Wold, as the chairman of the subcommittee, I am going to defer to Mr. Pickett of Virginia here in a minute. I am not going to make any unilateral decisions, and I haven't had a chance to discuss this with him about the analysts not being with you. I will let him take a different course from mine, but let me tell you what I said in that—detractors would call it a tirade that I just gave at the conclusion of the first panel. Friends would say it was an impassioned statement because I have spent so many years on this issue. And it doesn't take any amateur psychologist to figure out that as a fighter pilot who was at the top of my gunnery class and always very aggressive and eager to do anything I could to serve my country, that when you are caught between wars, as I was as a peacemaker, asked over and over to go back to Vietnam and then go over eight times as a journalist just to be close to your friends and to try and report on the truth of the struggle, it doesn't take any deep analysis to figure out that I have a great debt of gratitude to my dad, to those that came before me like you, who have earned me my right to freedom of speech and to sound off, and then all those young men like the two Medal of Honor winners whose graves I visited November 4 and yesterday, that I owe a debt of

gratitude to them, and that I want to make sure that we don't lose lives in Bosnia and then just write them off the way we lost lives in Mogadishu.

You may not be aware, General, that Herb Shughart, the father of Randy Shughart, whose grave is up there near Carlisle, refused to shake Clinton's hand in the White House at the Medal of Honor ceremony on May 23 of 1994. Were you aware of that?

Mr. WOLD. No, sir.

Mr. DORNAN. And when the father was called by USA Today, British Broadcasting, and AP, he said, "I will not talk about the President while he is in Normandy." And I was over there, too. "Call me when he comes back." And, of course, by the time Clinton came back, the press was no longer interested, and some people think that was a coverup—that they would have shredded President Bush or President Reagan alive if a Medal of Honor mother and father refused to shake his hand. The dialog that went on between them is fascinating. It involved Aided, why we flew Aided, whose people had murdered and desecrated the bodies of Durant's crew and the two Medal of Honor winners, why he was flown down to Addis Ababa a few days later with Marine guard. They wouldn't dare ask Rangers to guard him. Clinton had no answers.

Gary Gordon's dad told me he wouldn't have shaken his hand either if he had known Herb wasn't. But he said, "I got all emotional. I thought, What would Gary want me to do? What would Gary want me to do? So I stuck out my hand. But my sentiments are exactly like Herb's, and I wish I had done what he did."

These are the last two Americans to get the Medal of Honor.

Now, having said that, let me specifically come to you. When you first testified here, as I will preparing for a committee hearing, I went through your general officer's biography. And you are my kind of guy. You are like my brothers, like my dad, only you had the combat. And I can guarantee you, you would have liked to have me on your wing. I was good. My heart was in the right place, and I was smart and fast. But you did it, and I didn't. And I am not about to do anything to detract from the dignity of you coming back to serve your country again as a Deputy Assistant Secretary of Defense with an issue that is so brutally tough. I have seen it just tear up good men and women for three decades now, because we didn't lose this war. We weren't there when the collapse took place.

If Bosnia flares up again 10 years from now, is it going to be blamed on us? Some areas of the world have to take responsibility for their own blood-lust killings that go on. I just don't think that without your analysts here, sir, that it is fair to us to take your testimony or fair to you. I know you are a good man and conscientious in this because you sat here all morning patiently and took copious notes. But I discussed this with the families, and the reason we have had no votes today and been very lucky is what America thinks is a much more serious problem than the pain of missing in action families—I don't. I think this is priority number one. But all this debate is going on the floor about politics again, Clinton's reelection, Newt Gingrich losing the speakership, all of this turmoil and Federal Government closing down, train wreck talk. That is all going on over on the floor. No votes. Nobody knows what is happening, I guess. But because of that, some people are called essen-

tial and some people are called nonessential. It must be an insulting thing to have happen every time this comes up. They are suggesting that we in Congress go off the payroll. Why? We would just turn around and retroactively repay ourselves, and we are going to pay all the other Federal workers in a few days. As a matter of fact, the checks are going out.

So I just think we need you to testify, sir, with your analysts and to drive toward getting this comprehensive review out before the world no matter how embarrassing it may be that last July 12 the Clinton administration drove toward normalization.

I did mean to ask Ann Griffiths one question about a statement told to her by a former associate of mine, very friendly, although he was on the other side of the aisle. I became very close to Steve Solarz over the years. Steve Solarz, a liberal Democrat from New York; a conservative Republican from California. Yet we were very friendly. And we worked hard together on this issue. He picked up the mandate without ever wanting it, because he took over the chairmanship of Asian and Pacific Affairs when Lester Wolf finished here after 18 years.

He had a good staffer named Stanley Roth, and Stanley traveled with Mr. Solarz and myself and Eni Faleomavaega, the Delegate from American Samoa. We traveled and walked the battlefields of the Solomon Islands. We walked Bloody Ridge. Steve was very nicely impressed that I have as a school of study military history of all services. We went through lots of places. We went up on top of the Owen Stanley Mountains, and I told him about all sorts of crashes that were still being found and that Colonel Woods at the CIL was identifying people's remains from dog tags and equipment and serial numbers on all rusted generators from the top of the New Guinea mountains. And I got to know Stanley Roth. He wrote all the reports and everything.

But Ann told me the other day, Ann Mills Griffiths, that the day before the normalization announcement, to soften the blow on the families—it is the only way it could be fairly described, to soften the blow on the families—they had the families in to the White House to tell them, we are going to do it, we are going to do it. We are going to normalize relations with the Communist conquerors of Indochina. And Stanley Roth, otherwise to me, a very mild-mannered young staffer, said to Ann, "You are never going to get unilateral assistance from the Vietnamese." In other words, we are not going to press them for it; it is all over. You are not going to get it.

I would like to have him come in here. He is on the National Security Committee and handles all of that part of Southeast Asia. You probably have to report to him occasionally.

So my bottom line here is—and then I will turn it over to Mr. Pickett—I would like you to take your statement, which I have not yet read—I was following through the three witnesses this morning, their statements carefully. I didn't get a chance to even pick them up because I came back from Shughart's grave right to the Rabin ceremony at George Washington University and went home without reading them. So I haven't even read your statement.

I would hope you would not read the statement, not testify today, take your statement back with all your good notes, think about this

thing, integrate it all together, and come back when we have solved this darn budget impasse with your senior analysts so we can have a very productive exchange here.

I see Colonel Hopper back here. I worked with him for 25 years. He was at the birth of the league in 1972. I worked with him in 1970 and 1971, his son's case. Earl is obviously a retired Army colonel who gave his life to his Nation, longer than a 20-year career. There are other family members here. We are going to hear from Ginger David. You were attentive when I told you the story of what some mortuary person said to her handsome young son with his finger in his face: "You're not going to get any more. Get used to it. He's dead. Accept it."

I would hope that we can just put off your testimony, and we will set it up at your convenience, when we can have some of those senior analysts with us. And then you will have the advantage of panel 3's testimony and panel 4, which is Johnnie Webb, who I prayed with over these stretchers with the remains of young Americans. I told him, this is like a church here where you operate. Yes, sir, that is the way we consider it.

It was in that room that I picked up the red—no, the green active-duty ID card of the only other redhead in my pilot training class, Allison, head of the alphabet, just six numbers off my air officer number that we used in those days. And I looked at his face, Dave Ailison, hanging in the tree and bailing out of an F-105 Thunder Chief, on the radio, talking to his wingmen, successful mission already completed over Hanoi, was on his way back over Laos, an unlucky hit. And I am looking at his ID card. That is all to this day we have ever gotten from Col. David Allison, class 5H, Bryant Air Force Base, College Station, TX. That is all we have ever gotten back, is that ID card. Where did they get that ID card? Was he shot in his parachute harness in the tree? Was he killed on the ground? Was he beaten to death because villagers were allowed at him on the trek into the Hanoi system? Whatever happened to David Allison? If they have got his ID card, they know something about him, and that is one of those unresolved problems.

So let me turn to Mr. Pickett and shorten it up. What I would like to do, Mr. Pickett, is just ask General Wold not to testify today, to take back his testimony and rework it for next week or the week after—it looks we are going to be in longer than we thought this year—and have him come back with his senior analysts that did all the work for him. Did you want to ask the general anything or make a comment?

Mr. PICKETT. Mr. Chairman, I would agree that we certainly want to invite General Wold back before the committee. When I was asking some questions a few moments ago, I was referring to some material in his written statement; and while I don't—as far as reading his statement, I don't have any objection to suspending that. I would ask that we put his written statement in the record so that would tie in with the questions that I had asked previously.

Mr. DORNAN. All right. Well, since we are counseling in public here, let me ask this: I will ask General Wold if he wants his statement in the record, then.

Mr. PICKETT. OK. That is fine.

Mr. DORNAN. Concurring with your wishes, or if he wants to rework it, given the testimony heard here, and if he could please stay with us and hear the next panel of Ginger Davis and Marie Gould, and I think Ann is going to rejoin that panel. Are you, Ann?

Ms. GRIFFITHS. Yes.

Mr. DORNAN. Yes, you are going to rejoin that panel. And then panel 4, because he certainly respects, as I do, the corporate memory of Col. Johnie Webb from the Central Identification Laboratory. Let me ask you, general, do you want your statement in the record now or do you want to rework it with the advantage of having heard some more testimony here?

Mr. WOLD. Mr. Chairman, as we have gone along this morning, I have made some remarks, and with all due respect and appreciation to Congressman Pickett for the offer to enter my statement, I think that I would prefer to enter into the record a statement that incorporated some of the changes that I have made. I would welcome the opportunity to come back and testify before the committee.

I would like to, again, with the permission of the chairman, probably just address some highlights as a preface to our next appearance here before you.

Mr. DORNAN. General, let me ask you a personal question. This expression has probably existed back to Cro-Magnon man and Neanderthals. Have you ever walked in my moccasins or Ho Chi Minh tire slabs? Just for a second, put yourself in my place. I bet you even learned today again how long I have worked this issue—30 years. I came through the CIL probably before Colonel Webb was there, asking people to show me the book, the big book, the computer readouts, IBM technologies, 1970, 1971, saying you are going to do it right, you are not going to relive Korea, where I picked up an interest waiting to go to pilot training, as a 20-year-old, at Williams Air Force Base. A handsome major came through, an Army psychiatrist, and he had been the commander of the debrief team as a psychiatrist of all the people coming back from Korea. And we really screwed that up big time, and it relates to the United Nations. Now we have got a second sergeant, Rasor, joining Michael New, saying he won't wear U.N. paraphernalia. I have got to handle that on this committee.

The reason that we never got our 389 category A cases, far worse than anything you are dealing with, men seen alive in prison in 1953 in Korea by other prisoners testifying yes, yes, Jim Wohl was alive and well, no head wounds, no amoebic dysentery, no amputations. They killed all those men off, anyway. They said, We saw him just 3 weeks ago, before we crossed Freedom Bridge, 389. That is still what they teach you at 8th Army headquarters. And the reason we never got any satisfaction there and it exists to this day, 42 years and some months later, is the North Koreans say, the same way as the Vietnamese did with the French, want to talk to us about graveyards we overran when MacArthur temporarily got up to the Alou? Want to talk about those graveyards? Talk to us unilaterally, United States-North Korea. And we said no. Go to the United Nations. And they said, in Vietnamese, "Go to hell"—I mean, in Korean, "Go to hell."

This went on for years. You want to talk about those 389? Talk to us. Talk to us right here at Panmunjom or anywhere, unilateral, United States-North, and we would say go to the United Nations. This has been 42 years telling them to go to the United Nations, and they keep saying you go to hell. And all those parents—if they are alive, they are in their seventies and eighties—and all those widows in their sixties, they are still in agony because of Korea. That is what I wanted us not to redo at the end of Vietnam.

My contribution as a journalist and a talk-show host and an Air Force fighter pilot that couldn't get reactivated in his thirties, my contribution was to make sure we didn't relive Korea, where I built up this expertise, starting at 20 years of age, with this Army major, a psychiatrist. So I want you to take your statement and rework it and you can submit it for the record, as of today, or just hold it and bring it back. I would ask you, since I had more or less made up my mind that I did not want you to testify without any inference on your honor or your dignity—you are a great officer—I did not want you to testify at length, so I could make my point back at the Pentagon, no more games.

I want the comprehensive review; face up to the inevitable, Senator Bob Smith is going to win, beat your brains out in longer special orders than we are allowed to do on the House floor, and I am going to get my hands on that comprehensive review. I do not think I have to do it as an Intelligence Committee member, because if I did I would just bring over Bob Smith. Because we are told it is not classified. There is nothing in there that is classified.

I will just close on this one thing and then ask you to just make a few brief statements. What the family members cannot abide—and it feeds conspiracy theories—is we give so-called classified information, including sources, to the Communist victors, the Communist thugs in Hanoi, the liars. We give it to them and then we don't give it to the families and it slowly comes out to them over the years.

If we can give it to the North Vietnamese Communists, we can certainly give it to the families.

Do you want to make some brief remarks and then give me a certain date when we could expect this bi-name analysis of the comprehensive review, the so-called scrub?

Mr. WOLD. Yes, Mr. Chairman, I would like to make a statement. In regards to your specific question as to when you might expect that we are in the process, we have been preparing letters to the families. The families have been one of my highest concerns in this.

You and I both know that when information is passed back and forth between various agencies in the Government it gets leaked. My concern is that information not get leaked by whomever and get out into the public domain before it gets to the families.

You will get the comprehensive report and the detailed information. I estimate—and we reviewed this question yesterday—

Mr. DORNAN. Now, before you give me a date certain, I want you to remember how long this has gone on. I am new to anger on this, frustration is a better word, but Bob Smith is not. It was the Senate committee that wrote into this year's defense budget, this 45-day request, and then all the statements that the families just live for going back to the spring and then everything that I read in

Bob's testimony about his car light, driving through the rain yesterday, all these dates and everything, please tell me next week before your commit-to-come date that is going to create more angst among all the families and between Bob Smith and me. Please say you can have it by next week.

What do you think?

Mr. WOLD. Sir, there is no way I can notify the families and we have been working on this, on the notification of the families but for the reasons I just gave you there is no way I can complete that notification to the families and get you the detailed case information, case-by-case, by next week.

I expect the information of the families to be completed by the second week in December. I am personally reviewing every letter that is being prepared for 2,200 and some families. I am personally signing them. It was suggested to me why don't you use an automatic pen to sign them and will just—

Mr. DORNAN. No, do not do that.

Mr. WOLD. I wouldn't do that, but not for the reason that my signature is out there on voice mail or some place like that—

Mr. DORNAN. General, let me ask you this, we were just discussing in the anteroom 2117, again, with some family members. These families are experts and they are tough. I told them a line, I was telling it to Dick Childress, a line my dad taught me about when I was really a child, 8 or 9 years of age, that you do not account for everybody from a war. You certainly do not account for all the ones lost at sea.

And do you know today is the anniversary of the Sullivan brothers, five brothers going down on the *Juneau*. There were only 10 survivors out of almost 600 crew, 10 survivors. And George, the oldest brother of the five, survived and died on November 18, survived 4 or 5 days, could have been 11, the parents would have gotten one back.

And you can use Mafia-type lines about the fishies, but we know that people at sea pretty well are eventually atomized. There were no bones on the *Titanic* wreck when the cameras prowled around. But what my dad taught me, when he was under artillery fire, in artillery units in World War I, he said when a shell hits in the midst of a group of men somebody takes it on the bridge of the nose and they are atomized, gone forever, they are a mist. That is the reality.

So when you give me the figure of the 2,000-plus, what I am thinking is, a lot of families know that they're not going to be in the final count of—and I do not want to undercut what may come out of this comprehensive review, but you have just heard experts. Ann is an admitted expert on this, so is Carl, who admitted his native dealing with the Communists early on, and Dick Childress is multilingual and has done this since he was a young man, not that he is not so young.

So I do not want to say 300, 400, 500. But whatever the figure is we know that it is not anywhere near 2,200. So why do you not just write the letters to the people in the comprehensive review, to the families of those that we believe the Vietnamese could unilaterally come forward, those families and then take the rest of the weeks to alert all the other families.

And here is why. I totally give you the benefit of the doubt on this. I have an expression around here that I do not think I have read from anybody. I call it the rhythms of the hill. The rhythm is that depending on what happens in the next few hours, probably today, we may be out by Thanksgiving. I think that is highly unlikely but we certainly are not going to go much longer than December 7. People will make book in both cloakrooms that we are going to be here on Christmas Eve. I will take that bet, I do not think so.

If you take until mid-December then I will have a committee hearing and Owen is a Virginian, so Mr. Pickett will be here, and I will be here and that will be about it. It may be a slow news day. You notice there are no cameras here, they are all talking economic figures; I am talking human beings, flesh and blood here today, Medal of Honor winners and heroes from 30 year's ago, 32 year's ago with DeBruin.

Cannot you scrub this faster? Cannot you put some overtime on people? My God, we are spending hundreds of millions of dollars to go out to crash sites—and I am glad Carl Ford finally said before it happens, we are going to have young sergeants die on some poorly maintained MI-18 helicopter; that is the junk they fly on and these are gutsy young kids. And then I am told by people I respect they probably took Harley Hall's teeth out of a warehouse—I have discussed this with his wife—and brought them down to a crash site and threw them on the ground.

Oh, my God, look what we have here, well, that takes care of the Harley Hall case, two teeth found in dirt, sitting on the surface, in an area that has been scrubbed, to use that word, by Communists getting our U.S. tax dollars, supposedly to go to the villagers, and the villagers never see the money. It goes to the local Communist party if not directly to Hanoi so they can travel to Singapore and live the good life.

Now, I think you have got to help us here and come up with something faster than December 7. This is November 14, can't you keep it inside the month of November, a Thanksgiving present to the families? Just the cases that you are going to present, have to present eventually that these are the tough cases that we should have faced up to on the evening of July 11 before Clinton normalized relations with the Communist war criminals in Hanoi.

Mr. WOLD. Mr. Chairman, I got to get them back to work.

Mr. DORNAN. Please do that.

Mr. WOLD. But I do not know when that is going to be. They are all furloughed right now and they are the experts who have been writing this letter.

Mr. DORNAN. Who decided they were not essential?

Mr. WOLD. That was Defense policy. It applied to all of the 30,000-some Defense employees. There are very few people working in the Pentagon today except in direct support of command and control activities and the Bosnia crisis and such things as that.

I think POW/MIA is equally important.

Mr. DORNAN. I know you do.

See, if you were in an office working two pilots out of American F15-E, the equivalent of that French Mirage 2000, they would not be off duty today. They would be considered essential. They would

be working that missing-in-action problem of José and Frederic, that captain and that lieutenant, if they were Americans, you would be working that.

So what are we arguing about here? A time factor? They are missing 77 days and we expect evil here. What about if they were missing 1 year, 2 years, 3 years, 5 years? What if Scott O'Grady was still missing, wouldn't we be working that problem? See, I think they are essential. Why do you not ask them to volunteer their time and to come back in. You, as their boss, the Deputy Assistant Secretary of Defense, say, come on back in and let us go to work on the key 200, 300, 400, 500 and I will take care of the rest later. I will sign those letters. We will burn the midnight oil here. Let us do this because general, they are all going to get their pay.

I am telling you, as a Congressman, I will fight for it. I know Mr. Pickett will back me up. It has never happened before.

We are not going to punish workers who are nonessential and on home leave today any more than we will punish ourselves and take ourselves off the payroll, because we are all worried about politics here.

Just bring them back on duty tomorrow, call them all up, work the phone tree. Bring them back and let us get this done in November.

I will tell you what I have to do if Mr. Pickett will go along with me. If you will not give me a date I will pick a date with my staff here and figure it out with the Thanksgiving holiday and ask you to come back and we will go through this drill again. But this time you will have your analysts with you and if you are not giving us the comprehensive review—I talked on the car phone last night to Senator Bob Smith and I said, Bob, I want you to come over and testify as an expert. We will cross channel this thing, cross blood this.

I will go over and testify at your committee, and you come over and testify here. He said, it is worth thinking about. So maybe I will have him come back and testify over here where he served honorably for 6 years.

Let me ask my staff something.

[Pause.]

Mr. DORNAN. All right, general, we are going to help you out here. Mr. Pickett is a good man. He sees what I see, that you are into this, that it has got you and that you are trying to do your best.

Mr. WOLD. True.

Mr. DORNAN. He says that he will come back up—and you have a good team—that he will come back up from his beautiful heavy military defense area down in southern Virginia, Virginia Beach, all that area, he will come back up here; I am available on this, I am the chairman here. And on December 1, I was going to try to set November 22, next week, but I may have a hearing in between with other people to drive the process. And maybe Mr. Pickett will be available to come with me; I want to go over to your shop. I have not been over there for a long time. I understand you moved from one of those dead-end halls on the Pentagon to an annex building somewhere?

Mr. WOLD. We are down in Crystal City now.

Mr. DORNAN. That is right, Crystal City; you have been there about a year or so. I will come down and look at your operations, see what you are doing. I went over to INPIC this week to try and track down this 2527 story the Cerex story. I am open minded on this. I will come by and give you a look and I do not know what kind of a day December 1 is. Does anybody have a calendar?

The 21st is a Tuesday, the 28th is a—the first is a Friday? Let us compromise on a Thursday and try to go for November 30 here. I appreciate your help and I know you are not on the golf course. You are working like you are back in uniform and I appreciate it.

I do not have anything else, unless you did, Mr. Pickett.

Mr. PICKETT. Mr. Chairman, I would just ask the General that in his statement he is going to be preparing that if he would deal with this issue I heard about here this morning concerning the fact that the joint task force effort is not likely to produce much in the way of results and identification and that we need to look for the archive record issue as far as the Vietnamese are concerned as a way to try to resolve the balance or the majority of the balance of these that will be resolved.

Mr. WOLD. Yes, sir. I will certainly do that.

Mr. PICKETT. Thank you.

Mr. DORNAN. And if it will expedite the process, you can do it with reference numbers fast and then supply the names later. That is a suggestion.

OK, thanks, General.

Mr. WOLD. Thank you, sir.

Mr. DORNAN. Secretary Wold is excused. The next panel, panel 3 is Ms. Ginger Davis, who I have gotten to know over the last couple of weeks, wife of Col. Charles Davis—that is case No. 1600, the AC-130 Hercules, a Specter gunship—and Marie Gould, wife of Col. Frank Gould, case No. 1959. And Ann is going to come back with them, since she is their representative at the League of Families.

Ann, this is optional for you. You could just sit up there and add comments at the end or not, if you choose.

[Witnesses sworn.]

Mr. DORNAN. Mrs. Davis, do you have a prepared statement?

STATEMENT OF GINGER DAVIS, WIFE OF COL. CHARLES DAVIS [CASE NO. 1600]

Mrs. DAVIS. Yes. Thank you, Mr. Chairman.

First I would like to say that this probably has been the hardest task of my life, putting 25 years together for a 10-minute presentation.

On April 22, 1970, my husband, Col. Charlie B. Davis, Jr., and 10 other crewmen were flying an AC-130 on an armed reconnaissance over the Ho Chi Minh Trail in Laos. The aircraft was hit by 37mm antiaircraft fire in the rear fuselage. After appearing to be under control it descended in a straight path for 90 seconds, crashed and exploded on impact.

In the debriefing of the F4-D aircraft assigned to escort the AC-130 it was stated the aircraft commander transmitted in a cool voice, "I'm hit, babe." When asked to repeat, he said, "I'm hit."

One crewman, Sgt. Eugene Fields, clipped on a chest pack and exited the right scanner's window. As the plane went over the next hill, he apparently saw no one before he was rescued at first light.

At this time, I would like not to be put into the record, but I would like for you to have the opportunity to see these photographs. These are photographs of the crash site before the excavation. For 20 years I was told that they really did not know where the plane was and it was under triple canopy layer of jungle and I think you will see there that there is an awful lot of sunlight coming through.

Now, the controversy really begins. The first message intercepted from the Vietnamese was that there were six killed and four missing. This was on the national news. On April 27, 1970, the evening release and communique stated that 10 men were missing. This was an update from the six killed, four missing. When asked by family members for an explanation we were told, "It was a mistake."

Quoting from page 37, line 12 of the unclassified documents in Hanoi, "Three pilots died." Correlating to what will be herein referred to as reference number 1600.

Another quote came from a Laotian who led the excavation team to the crash site stating, "Nine pilots died, and were laid out." Within 3 days of the loss of 1600, American intelligence analysts began receiving Vietnamese war time reports correlating to 1600. A summation of information and events followed.

The entries in these documents clearly indicate the Vietnamese knowledgeability relative to the loss incident. Similar information was found in the 559 document.

Another puzzle. Killer II, the fighter escort stated from the air, "The crew [plural] is bailing out and beepers [plural] and voice contact was made with personnel [not one crew member] on the ground." In another record, "Adache, Thomas Y. voice contact, injured." This tends to support statements that there were personnel, not one crewman on the ground.

Another puzzle. Maj. Donald Fisher's call sign was Adlib 12. Sgt. Fields' call sign was 11. Yet, the beeper bearing contact with number 12 came up. Sgt. Fields now says it was a mistake.

Major Fisher's family identified from POW film No. 77 as his picture. His handgun turned up in the archives in Hanoi. Coincidence?

Sgt. Mike Lints' family was notified he would be on one of the homecoming planes. Early on the morning the family was to leave for his arrival at the base, a call came telling them not to come. He was not on the plane. Another mistake? That is unforgivable.

In November 1987, the issue of Life magazine, a POW picture and a story appeared. The family identified this picture as Col. Charles Rowley. Government photo analysis said that it was not he. Private photo analysis says that it was. Guess who won?

In December 1993, right before Christmas, we received a call from casualty at Randolph. And I was advised to pick a local mortuary to receive Charlie's remains. That is when I decided to have my own forensics and DNA but nobody came home. That was another mistake.

One-and-one-half years later, we were advised that there would be a group interment. I wrote to all the proper people asking for help in allowing us to view the remains and have them examined by our independent forensics anthropologist.

All I received from these inquiries was a duplicated patronizing form letter. Among the recovered items were strange things such as homemade tweezers, a cleated black boot. The crew only wore steel-toed flying boots. No family member identified any recovered item as belonging to their loved one. The only things related to 1600 were seven dog tags.

But what do dog tags mean? Charlie's turned up in at least three different places in Laos. And I submit these dog tags to you to notice that not one letter is dented, although it is described in forensics as bent and mutilated. I would like for you to look at them.

Mr. DORNAN. I looked at that the other day and Mrs. Gould, but you did tell me then that there are counterfeit ones turning up all over?

Mrs. DAVIS. Absolutely.

Mr. DORNAN. Yes.

Mrs. DAVIS. I have also Colonel Rowley's dog tag there for you to see.

Mr. DORNAN. I called you Gould, Mrs. Davis, let me correct the record.

Mrs. DAVIS. OK.

Also in the forensics review dated February 1994, given to me in May 1995, over 1 year later, were four teeth and one restored crown. Nothing could be identified with 1600, and of the 1,424 bone fragments only 139 were identifiable as to the element.

This, gentlemen, is a picture of the bone fragments, the sum total of what came off of the crash of 10 men. From this handful of fragments of bone, it is concluded by the analysts that the remains are male; well, we had no female combat flyers then, between the ages of 20 and 40 years old. But what other age grouping would they have been in, in combat; and the race is unknown. These could just as likely be the remains of a Laotian peasant who just happened to be in the wrong place at the wrong time.

With these facts in hand we have death by association. CILHI recommended a group interment. Having been told by a mortuary officer that, "This is a done deal." And there was, "nothing you can do about it." Arrangements were made. In the 11th hour we were advised that a temporary restraining order could halt the proceedings. We endeavored but we were unsuccessful.

Interment was November 8, 1995. On September 12, 1995, I received a casualty form, DD-1300, which states, "The remains of Col. Davis were repatriated by the Lao Government on November 12, 1993." Positive identification was confirmed by the Armed Forces ID Review Board in September 1995.

So you see at first I am told by the mortuary that no one is identified and then in September I am told positive identification has been obtained. So I contacted casualty and asked for Charlie's remains to be sent to me. I was told that the final form 1300 was a mistake.

None of our crew families were allowed to know who the final review board members were, when they would meet or when they would have an opportunity to be there or could we have representation. I was told that they all had other jobs and would get together whenever they could.

In light of these conflicting reports and denials by the Government, the refusal to allow our forensics people to examine the remains appears to us that the Government has been less than truthful and certainly has something to hide.

Gentlemen, I had three small sons when Charlie left 25 years ago, now I have four-and-a-half small grandsons. Protecting these boys, making sure that this travesty never again happens is my highest priority. Charlie was a good father, a good husband, and a good officer. He gave his life, he gave his country his loyalty and devotion and honesty and perhaps his life. It would seem to me his country could do the same for him. He deserves his country's honesty and loyalty. And I implore you to support the passing of the Missing Personnel Service Act of 1995.

Thank you, sir, I will be happy to answer what questions I can.

Mr. DORNAN. Thank you, Ginger.

Ginger, just to straighten out my story and the facts with your son last week in the anteroom here. Which one of your sons was that?

Mrs. DAVIS. He told two of my sons there, and my middle son is sitting here with me, he told him the same thing. The one you talked with is Paul and this is Craig.

Mr. DORNAN. Hello, Craig.

And you know, I changed my own words a couple of times. In essence, it was some mortuary official?

Mrs. DAVIS. Yes, sir.

Mr. DORNAN. And he said, "your father's dead?"

Mrs. DAVIS. Your father is dead, get over it.

Mr. DORNAN. Get over it, that was the words.

That is unbelievable, out of line, in the extreme.

Mrs. GOULD, I am not as familiar with your case. This is your daughter?

Ms. GOULD. Yes, I am Valerie Gould.

Mr. DORNAN. Valerie, you are going to testify?

Ms. GOULD. Yes, sir.

I am going to be covering the handling of my father's case with particular emphasis on treatment of his case and particularly the live sightings, the way they have been handled.

Mr. DORNAN. Your dad was lost in Laos?

Ms. GOULD. Yes, he was, December 20, 1972.

In the picture you see before you, this was taken when he was 38 years old, a year older than I am right now. He was shot down about 9 months after this photo was taken. My dad's been missing for over half my life.

Mr. DORNAN. What kind of aircraft was he flying?

Ms. GOULD. He was in a B-52, he was a radar navigator.

Mr. DORNAN. Wow. The B-52's strikes started on December 11th?

Ms. GOULD. Yes, at Line-Backer II, right.

Mr. DORNAN. They did not bomb on Christmas Day. They bombed for 18 days, ending on December 29 and your dad was one of, I think, three aircraft that almost made it home and went down in Laos.

Ms. GOULD. Very good, that is correct.

Mr. DORNAN. Right. That is just all from memory from December 1972. I thought that if we had done this years earlier the war would have ended years earlier. I remember seeing a headline on a news rack at Bundy in San Vicente in California—a famous intersection now because of two killings. And it said, “Eight B-52’s shot down yesterday.” Eight went down in one day out of the 17 we lost.

And I remember looking at that headline transfixed, thinking there are eight engines on each one of those aircrafts, 64 J-57 engines dropping all over Vietnam. This will not last very long. And it was way below the numbers President Nixon expected to take in casualties.

So, tell me about your dad’s almost getting home.

Ms. GOULD. All right.

STATEMENT OF VALERIE GOULD, DAUGHTER OF COL. FRANK GOULD [CASE NO. 1959], ACCOMPANIED BY MRS. MARIE GOULD, WIFE OF COL. FRANK GOULD

Ms. GOULD. On December 20, 1972, my family’s life changed irrevocably when the B-52 my father was the radar navigator on was shot down while flying a mission over Hanoi. The men were forced to bail out near the Thai-Lao border. There was approximately 100 miles between each of the men. All of the crew men were rescued and returned safely with the sole exception of my father.

That night we were told by the notification team that my father, Frank Gould, was on a hill awaiting rescue. They said they had radio contact with him but could not get to him. They later denied that they had even ever had radio contact. They said that they had made a mistake.

The next day they spotted mirror flashes that they thought were my father’s. But it was simply too late for them to bring the helicopter in, land safely and get him. So when they returned the next day they were unable to locate him or any more mirror flashes.

A young search and rescue soldier found his helmet but could not find him. His radio, beeper, and parachute were also found. Later the Government insisted that the helmet belonged to another crew member. Gentlemen, the Government maintained this position despite the fact there were well over 100 miles between each man and the fact that helmets do not grow on the trees in the jungle of Laos.

The Government originally classified my father, Col. Frank Gould as category one, known to be alive. They then downgraded him to category two, believed to be alive. For a number of years after that we heard very little.

In 1979, the Government changed my father’s missing status to one of killed in action, body not recovered. This status change was done with no new information and no supporting evidence that Col. Frank Gould was dead. The lawyers we consulted about it questioned the legality of the change as no new evidence had been in-

roduced to support the change. I, and my family were outraged and disillusioned.

At the National League of Family meetings we attended, and we attended almost every one, Government representatives assured us again and again that there were no live sightings. "Believe us," they all said, "if there was a live sighting of any man we would check it out in a heartbeat." We also heard a number of Government officials state, time after time at the meetings, they would stake their careers on the fact that no live men had been left behind by the U.S. Government.

During this same timeframe, as you recall, Marine Sgt. Bobby Garwood escaped from Vietnam.

Mr. DORNAN. Valerie, change that word, escaped, in your testimony to, was released. He did not escape.

Ms. GOULD. Yes, sir. Bobby Garwood was released from Vietnam. My family, along with many others, rejoiced and then became angry when he was charged with desertion. All of us wondered, would this be the fate of any man who dared return from Vietnam or Laos alive? Was this the penalty for accidentally proving Government officials wrong by showing up and proving that live men were left behind by the U.S. Government?

In 1991, we received our first live sighting of my father in Laos. (Exhibit 1). We expected the Government to move quickly as its officials had been promising year-in and year-out at meetings. We eagerly questioned what they had found at the site when they checked it out. We were shocked when we were informed that they had not been to the site, and no, they did not know when they would send a team in to investigate.

My family pointed out that for years they, the Government and military, had been claiming they would immediately send people in to investigate any live sighting. So what happened? We were never given an answer.

This is my family's wake-up call. We could not, for the life of us believe, that the Government would sit by and do nothing and, yet, that was just what was happening. And that is what has continued to happen with each and every live sighting since then in 1991.

We have been informed of more than seven live sightings on my father. (Exhibits 1-7e.) We know that there are more that have yet to be declassified and released to us. His file contains over three pages of source reports with possible and probable correlations to my father, Frank A. Gould.

Has anyone in the Government or the military even bothered to physically check these live sightings out? No, they have not. Have they interviewed the sources in a timely manner, say within a few weeks of the initial contact? No, they have not.

Several of the reports claim that Frank Gould is being held by a Hmong leader who will turn him over for a reward. (Exhibits 2, 5, 7a, 7e.) Has the Government physically checked to see if my father is at this Hmong village? No, they have not. They, the Government officials, have repeatedly told sources there are not any rewards. (Exhibits 2, 3, 4, 4a.) This is not true and they know it.

There is, in fact, a \$2.5 million reward put together and offered by several congressional Members and concerned citizens. You know about this. Congressman Dornan is one of the contributors,

as is Senator Bob Smith and former Congressman Billy Hendon. And the U.S. Government keeps saying they do not pay rewards for its men.

Another source said he would help rescue my father and the three Americans who are being held with him if the Government would only help relocate him afterward. (Exhibits 3-3b.) Sorry, said our Government, cannot do it, we do not pay rewards.

What is the Government afraid of? What do they have to lose? Here is a man saying I might be able to show you where your guys and three others are and help spring them out of prison but I cannot stay in the area if I help get them out. And our guys say, nope, not interested. He is only doing it for his own self-interest, you know, otherwise why would he want to be relocated? It is pretty obvious, is it not, if you break a man out of prison you certainly do not want to stay in town long enough for the police to catch you. This was a true no-lose proposition. They would not have had to relocate this source if he did not produce my dad and the three other Americans with him. So why in the world did they say no to this? What do they have to lose? What are they afraid of and what are they trying to hide by not doing this?

As for the rest of the live sighting investigations, you should know that 9 months after one of the live sightings they still had not gotten around to interviewing the primary source. During this time, the yearly League meeting was held. When my mother questioned why the source still had not been interviewed some 9 months later, an analyst replied that the primary source was ill. The primary source was not ill. It was the secondary source. My family pointed this out. We knew because we had started investigating these reports ourselves, when it became apparent that the Government had become both unwilling and unable to actively investigate and fairly evaluate these reports.

And, gentlemen, as of today, over a year later, after this live sighting report, the Government has still not interviewed the primary source, still a year later. I want to make this clear, very clear, that we place responsibility for these problems with follow-through on leadership. This is a problem that starts at the top, not at the bottom.

We tracked down the interviewed sources of the live sighting reports. We have interviewed them before the Government, despite the fact they withheld their names from us. We have asked for the name of one of the sources that has indicated to the U.S. Government that he is willing to talk with us, yet we are being denied access to him. Why? What are they afraid of? We, the families, are being forced to do the job that we are paying the Government \$54 million to the Department of Defense POW and MIA Action Office to do. Is that fair? Is that right?

Even more difficult as family members is the constant negative attitude of, why bother to investigate? When we, the Government and military, know that all the live sighting reports are probably false. There is a constant and consistent mindset to debunk any and every shred of evidence pointing to my father's survival. All live sighting reports are considered hearsay. Well, of course, reports of my father's survival would have to be hearsay if he is being held captive, he can hardly pop up and say, I'm here, can he?

The most recent example of this negative attitude and mindset to debunk is a letter from the Department of Defense to my mother. My mother had written President Clinton to inquire why they have not investigated any of his live sighting reports. Colonel Henley of the Department of Defense answered her, stating in the letter, "None of the reports contain any verbiage that Frank Gould wanted to come home." (Exhibit 8-9).

Mr. DORNAN. Why do you not just stop right there. I am going back and rereading what you just read.

Ms. GOULD. I can produce that letter for you, Congressman.

Mr. DORNAN. Colonel Henley, he has got to be known to some of the men in the hearing room today, wrote, "None of the reports contained any verbiage that Frank Gould wanted to come home."

OK, go ahead.

Ms. GOULD. It was quickly obvious that the letter writer had never read any of the live sighting reports or had not even had the foresight to review them before dashing a quick, off-the-cuff reply. One of the live sighting reports had, in fact, stated very clearly, "Frank Gould was alive and wanting to come home." I cannot tell you what I think of the Department of Defense's actions or their lack of attention to their duties. The language I would use has no place here.

I have heard much from the Government and military about how they must protect us, the families, from those unsavory people trafficking in information; how they, the Government, do not want us upset by these reports. Gentlemen, these reports do not upset us, the trafficking in information does not upset us. Our Government's consistent, unwillingness and inability to follow up and follow through, that upsets us. Their listing of all of the sources of the remains reports as credible, while listing all of the live sighting sources, until our most recent one in November, as not credible disgusts us. That they are spending almost 5 years trying to prove a 4-inch bone fragment belonged to my father infuriates us. That is 5 years wasted. It turned out the source had turned it over totally unrelated to my father's case. Even 2 months after they learned of this, we were still getting calls from the mortuary about the bone. All that money and all that time is wasted when they could have spent it checking out these live sightings physically, themselves. If the follow up interviews had been done properly and in a more timely manner this would not have happened. We want and expect professionalism and objectivity. We want and expect action. Our men deserve nothing less and that is not what they are getting.

This failure to properly follow up cases in a timely manner has been a constant problem and a constant source of irritation. We were told that they would try to check out the live sightings when they next went into Laos. They went into Laos. They made time to try and find and investigate the crash site of my father's plane but they could not find the time to follow up, any, none, zero of his live sighting reports. Amazingly, the Government is more interested in crash sites and dead bodies and bits of bone than they are in live men. Something is wrong, very wrong with this picture. I do not think that I would be mistaken if I was to say the Government's priorities are backwards here. They should be physically investigating live sightings first, and crash sites second. By the way,

we never did locate his crash site. So, in effect, all that time and money that could have been spent searching for my father was wasted with nothing to show for it. All the same questions are still waiting unanswered, just like before they went there. The U.S. Government is spending well over \$100,000 per crash site to investigate each crash site. So why are they so opposed to paying a reward for the return of a man? I would much rather the Government had spent that money trying to find and retrieve my father from the Hmong leader than trying to find his crash site.

Given the way the Government has been investigating this case, I cannot help but wonder if they are solely interested in proving my father dead rather than investigating his case objectively. If one were to use this as a premise, all of their actions: their failure to follow up on live sightings, their refusal to work with a man who only wants to be relocated after he rescues my father, Frank Gould and the three other Americans being held with him; their refusal to physically check to see if the Hmong leader was holding my father and release him for a reward, all of it makes perfect sense does it not?

When a live sighting report stated that my father was in the Oudaxmai province in Laos, our Government representatives responded that if he were really in Oudaxmai, Laos, he could easily walk out any time he wanted to. All of the Laotians we have talked to say there is no way he could walk out even if he could get away from the Hmong leader who was holding him.

They also said the U.S. Government was not going to find any POW's while they were sitting behind their desks and offices in Vientiane because no POW's are being held in Vientiane. Given the Government's attitude, would they send him back to the United States even if he did manage to get himself to an embassy? Or would they refuse him and tell him he is dead as they did one of the sources who told the American embassy Frank Gould was alive and wanted to come home and would someone please come and get him? Will they just say, sorry, no papers, no help?

I want to know what happened to investigating in a heartbeat, any live sighting. Would someone please explain to me what it will take for the Government or anyone to get out from behind their desks and go with the people who have claimed to have seen or have knowledge of my father and his location?

My father is very unusual in that he not only took survival, gentlemen, he taught it. During that time he told my mother that the most important thing a prisoner had to do was not give up, to keep trying. Gentlemen, from all the recent activity on my father's case I would say that he is trying his darnedest to get out. Can the U.S. Government say to me that they are trying his darnedest to find him? I do not think so. What is the Government specifically looking for as a sign that he is alive? What do they have to have before they will physically go out and look for him? What does my father, Frank Gould, have to do to get someone to come in and get him? I do not know, nobody seems to.

Gentlemen, my father, Col. Frank Gould, is basically currently being forced to serve a life sentence for serving his country faithfully. He agreed when he enlisted as an 18-year-old to lay down his life for his country. He affirmed this oath a second time when he

became an officer. He did not and should not be expected to be forgotten because him and others like him are political liabilities for some people. If another country were treating its service people this way we, as a country, would be outraged. How can you, in all good conscience, expect fathers and mothers to give their sons and now their daughters to the military knowing that they may not only have to give up their lives for their country but they will be abandoned to serve life sentences for serving their country if captured. You cannot, of course, but that is exactly what you will be doing and saying to the American people, if the Congress chooses to do nothing.

I ask that you act to help not only my father and those left behind, but that you act to prevent this from ever happening to another family. The decision is yours, we, the families are waiting. The lives of our service people are in your hands. What will you do? Will you turn and walk away, or will you take up the challenge to protect those who protect you?

I will be giving you documentation on the incidents I have quoted in the reports.

Thank you very much.

Mr. DORNAN. Thank you, Valerie.

That is a wonderfully written and delivered statement.

Ms. GOULD. Thank you.

Mr. DORNAN. And at the beginning, I asked you to correct something and my correction was as wrong as "escaped." I said, was released. He was not held as a prisoner at that time. GARB would accept in a general sense that the whole country was a prison. I would say, on your page 2, change it to, "was allowed to leave".

Ms. GOULD. All right.

Mr. DORNAN. And then there was one typo on page 7.

Ms. GOULD. I missed something.

Mr. DORNAN. You said, we want and expect action. Our men deserve nothing less but that is "Not," I think you meant to say, what they are getting. That they are not getting action. It is a wonderful statement. Would your mother want to add anything, Mrs. Gould?

Ms. GOULD. I think Valerie has covered the situation quite adequately and we appreciate this amount of time to let you be aware of what has been transpiring.

Mr. DORNAN. If you say anything more, pull that mike closer to help our reporter.

Ms. GOULD. I am sorry.

Mr. DORNAN. One technical thing I want to ask about your statement and then I will turn to Mr. Pickett for the first questions. Paratroopers try to bail out as close together as humanly possible so that they are on the ground close together. They call it a stick of paratroopers.

Ms. GOULD. Correct.

Mr. DORNAN. You said at one point, 100 miles apart, but do you mean 100 miles from the first man to land on the ground to the last man?

Ms. GOULD. That is correct.

Mr. DORNAN. So the pilots who have ejection seats, and your father would have an injection seat that goes down—

Ms. GOULD. Right.

Mr. DORNAN [continuing]. Pilots have ejection seats that go up. The pilots kept flying the airplane as they started with those—was it a D-model with a tail gunner?

Ms. GOULD. Yes, that is correct. Actually the plane was not flying in a straight line. They had taken a bad hit to their right wing and they lost all of the fuel off of the right wing so they were side-heavy to the left wing. So they were actually forced to circle in a large circle. They had trouble controlling the aircraft.

So when you looked at where the men were picked up on a map, you will see that it is almost like a perfect circle where the pickups were. And they bailed out at 19,000 feet and a friend of ours had worked it out with the maps, it was well over 100 miles between each of the men. There was no wind that night, because there was fog, so that is how I know that.

Mr. DORNAN. And how many men on the aircraft?

Ms. GOULD. Six.

Mr. DORNAN. So you have five men separated by 100 miles in roughly a circle.

Ms. GOULD. That is correct.

Mr. DORNAN. At night, some might have come down and sustained crushed heels.

Ms. GOULD. Which they did, that is correct.

Mr. DORNAN. Which is very debilitating and killed many of our crews who died when they hit the ground, the parachute.

One other technical question, your father's helmet. This would be a precious item to take back to—what was his base, Udapao?

Ms. GOULD. Guam. He was in Guam.

Mr. DORNAN. OK. What happened to his helmet?

Ms. GOULD. They left it. They said they left it.

Mr. DORNAN. The rescue men said they left it?

Ms. GOULD. Well, we have never been able to talk to the rescue man but the Government said they left it, it did not belong to my dad.

Mr. DORNAN. Ann, was it Harley Hall's helmet that ended up in his wife's hands?

Mrs. GRIFFITHS. No, it was Colleen Shine's father's helmet.

Mr. DORNAN. Because she sat here at this table on June 28 and had his helmet with his name written inside, the helmet that she managed to procure herself back in Vietnam.

These two provinces you have mentioned, I am not aware of.

Ms. GOULD. They are in northwestern Laos and the main places we have been getting most of the live sightings out of are Luang Nam Pha, and then also Oudaxmai. Supposedly my father is being moved between these areas and being held by a Hmong leader, working in his fields. Apparently he has some freedom within the man's compound but he cannot get away. He is watched constantly.

Mr. DORNAN. The ambassador, who was the so-called secret commander of the war for a long time, after Ambassador Sullivan, Ambassador Gene McMurtry Godley, gave me a helicopter, a small jet ranger with a pilot to fly up to Luang Prabang, which is the old royal kingdom, way in the north of Laos. And that is not the fastest of helicopters. It is a long flight and I had a long time to look down at these beautiful crystal clear waters, these unbelievably beautiful mountains. And he gave me this helicopter because a U.S.

Congressman had gone over there and called him a first-degree murderer. That was Congressman McCloskey getting ready to run for the Presidency in 1972. This was 1971.

And Laos, I remember learning at the time, was called the Mountain Kingdom, is the most thinly populated nation in all of Asia, barely over 2 million, just over 2 million if that with tribal people who live the same as they have lived for centuries. They were there way before the Vietnamese, and migrated down, were persecuted and were pushed south.

Vietnam means missing, Nam is south, a Chinese name. The people missing to the south as we drove them out of South China. But the indigenous people, there are multiple tribes there in Laos and although some people have walked out—Dieter Dengler, Navy A-1 pilot—that is still a tough call to walk out of there.

Has anybody ever attempted to debrief you or your mom with a map looking at these provinces and telling you about any other rescue attempts in those provinces?

Ms. GOULD. They have not made any rescue attempts.

Mr. DORNAN. Well, what did they call it when they claimed they found his helmet?

Ms. GOULD. Oh, going back then. No, nobody has done a debriefing like that. That happened in the first 5 days and actually the gentleman, the soldier who found the helmet had lied to the helicopter man. They were not supposed to get out of the helicopter, as you know, and search unless they had a man in their sights. And the search and rescue guy—who was described to us as a crazy Italian—was infuriated that he did not have all six men off the crew. So he lied to the helicopter pilot and said, I see him, dip down and he grabbed his survival pack and helmet and ran into the jungle and said, come back in an hour. And thank God, when they came back in an hour, he was there and he had found the helmet but he could not find my dad.

Mr. DORNAN. That is an amazing story.

Ms. GOULD. A very gutsy man.

Mr. DORNAN. Mr. Pickett.

Mr. PICKETT. Thank you, Mr. Chairman.

In listening to the two family witnesses here, it seems like there are a lot of similarities in their stories in so far as their impression of the process that was followed in trying to identify and provide information to family members. There appears to be a lot of mistakes made in both sets of facts and there seems to be a lack of continuity of records with the parties in the military with whom you were dealing or communicating with.

Did you get the impression that you seldom talked to the same person twice about the events when you were not getting what you felt was an appropriate response to an inquiry; did you feel that you simply were not getting to the correct party with whom you had been dealing?

Ms. GOULD. I do not think that has really been the case. We have been assigned an individual who I believe has done everything that he can possibly do, honestly and straightforwardly. We do not feel that the problem lies there. It goes beyond that.

He has been available, he has communicated our concerns, has forwarded our questions, attempted to get answers for us; however, he has been unable to do that, as well.

Mr. PICKETT. So your point of contact, in your case, your point of contact was not able to be responsive to your inquiries because he or she was unable to get the information?

Ms. GOULD. That is correct, yes.

Mr. PICKETT. How about in your case, Mrs. Davis?

Mrs. DAVIS. No, sir, I was not assigned anyone. At the very first we had the local representation from the local base. But that died out after about a year or so and since that time I have had no contact with anyone. If I need anything, I just have to call Randolph and talk with them.

Mr. PICKETT. So no point of contact was assigned in your case?

Mrs. DAVIS. No, sir.

Mr. PICKETT. And you appeared to get conflicting information about events.

Mrs. DAVIS. Very.

Mr. PICKETT. And was this information provided to you through this same channel, through this channel at Randolph in every instance?

Mrs. DAVIS. No. Some of it came from the mortuary office.

Mr. PICKETT. I see.

It just seems, Mr. Chairman, we are dealing today, to some extent, with the process here and it seems like in these two cases anyway that this is typical; if this is typical and it appears that it very well may be, that the process used to manage the information and to follow up on data that was provided to the military was rather inconsistent and not followed in a way that would take maximum advantage of the data that the families, themselves, were able to provide in some cases.

Mr. DORNAN. Exactly. There has been no shortage of funds for seeking remains, from doing anything that emanates from the offices in Hanoi, but not so coming from Thailand up into Laos and operating out of the administrative capital, Vientiane, Laos, the royal capital being Luang Prabang. But my heart goes out to the families on live sightings. What is the policy toward handling live sighting reports?

I go all the way back to 1979 when the late Eugene Thai was head of the Defense Intelligence Agency. He is the man that coined the expression that has haunted a lot of good people working over there, "a mindset to debunk."

He told me that there were live sighting reports from Vietnamese boat people in Australia. I said, are you going to get right on them? He said, yes. And I liked General Thai. Two months later he came back over to show me some photographs I asked for that I had heard about from the late Gen. Creighton Abrams, sitting right in his backyard with the four missing in action wives, that I mentioned earlier, one Marine wife and three Air Force wives.

They were all sitting in his backyard. He told me about low-level, RF, 101, voodoo, photographic imagery of camps in Laos where they had, this is quoting General Abrams directly, "Machine guns, heavy machineguns pointed into the caves. That if we were to at-

tempt a rescue operation they would spray the caves and kill all the men."

Now, that came from the commander of our entire military, a famous World War II tank general, Creighton Abrams, who had gotten a tank named after him. So I asked for this photographic imagery. Three-star General Eugene Thai finds it for me. And in showing it to me, I asked him, "What are the reports from the live sightings given to you by these boat people that are down in Australia?" He looks at me and the fair description is sheepishly and he says, "Ahh, we still have not interviewed them."

I said, "General, it is 2 months, the trail is going cold. There is nothing of a higher priority in the U.S. Government. We are not at war." The hostage crisis was to start within weeks in Tehran. But he said, "I apologize to you, Congressman, we should have, it will be done within weeks." And within 10 days they had debriefed these three people down in Australia.

So I do not know if there has ever been a hot policy at the highest priority on live sighting reports. Or if they just have not hung around for months and then been analyzed in the aggregate and always handled as too good to be true on the positive side, or cannot happen in that part of the world, it is too rough an area and just debunk it.

Ms. GOULD. Well, they flatly told us that they were not really going to check any of the live sightings out until they dealt with the bone. They thought it was more important to deal with this bone fragment and very little that my mother could do could really persuade them until she finally found in one of the earlier documents that the bone fragment had nothing to do with my father's case.

And when they finally got to the source and he confirmed it up and down, saying what are you talking about? That was separate. Then they backed off. But as she had, we still had calls from the mortuary saying, well, do you not want to give us DNA, do you not want to make sure? And when my mother said, well, look this is not my guy's bones. They said, well, it might be. I mean come on, it is embarrassing.

Mrs. GRIFFITHS. Mr. Chairman?

Mr. DORNAN. Yes.

Mrs. GRIFFITHS. I could not address and wouldn't intend to even try on an individual case. Because every single case is so individual and I have heard things here today that are amazing to me.

What I would like to comment on is what I consider a serious problem in the live sighting investigation process. Part of the problem, in my view, has stemmed from the fact that there seems to be turf control, if you want to put it that way, that is executed more or less by CINCPAC, by the Pacific Command with not the kind of guidance coming from Washington which I feel should be coming, at least from the Defense POW/MIA Office, as to how those operations are going to be conducted in a timely manner.

And I speak specifically here of a longstanding, at this point—and I think I mentioned it in my testimony in June—that relatively speaking exclusion of some of the most qualified people to conduct, who are, in fact, charged with the live sighting investigation mission and those are the Stoney Beach people, the DIA element of

POW/MIA experts headquartered out of Thailand that, in fact, still work for DIA.

And it has been a progressive problem and I keep hoping that it is going to get better but they are exactly the kind of people that one would hope to utilize and to the maximum capacity as the Lao or Vietnamese or Cambodian Governments would permit to allow investigation in a timely manner of live sighting investigations.

I do know from the past, and as again, that perhaps when you do call General Wold and the analysts back, they could clarify that for you; but I know that there has been, there was a major sell out during earlier years, by some individuals attached. And in the debate or the negotiation over who was going to have what responsibilities in the investigation, to our chagrin the Stoney Beach team lost out, to a large degree, particularly in the "last known alive" cases with which they were initially charged.

I wish Carl Ford was still in the room, because I remember all of this happening during the Bush administration, the latter part of the Bush administration when more and more the joint task force full accounting was taking the responsibilities for things that initially had been charged to the very highly qualified trained investigators and specialists and linguists that are assigned to the Stoney Beach operation, the POW/MIA Office, Bangkok.

Perhaps that is something that the committee might want to look into as full utilization of that caliber of investigator and linguist.

Mr. DORNAN. Ann, do you know if General Tuttle is still on active duty?

Mrs. GRIFFITHS. Admiral Tuttle? He retired.

Mr. DORNAN. Recently?

Mrs. GRIFFITHS. About, I think 2 years ago, retirement at Annapolis as I recall. He is in the area, however.

Mr. DORNAN. You recall when President Reagan was in his first year in 1981, there was a total sea change of attitude on all of this, including live sightings. And at the camp in Laos, Namoret, which has been called over the years in some conspiracies as Fort Apache, which was traceable back to me because I saw imagery that it had a wooden stake front fence like those during the French and Indian War and that it had a wooden name placard in an arch over the main door that looked like it was some movie set.

But there were a lot of top secret operations that you and I became privy to then and finally ABC became privy to them, ABC Television. And, of course, they are going to report them on some very active efforts that Admiral Tuttle thought were proactive and we were actually going to put a helicopter rescue or speculative rescue mission on one of these camps.

And it ended up just a photographic mission using nationals trying to teach them how to use 800mm lenses with expensive Nikon cameras, and it was fairly productive except that we never got to see what was inside the buildings.

Let us talk for just a second about the POW/MIA Office that is now in the defense authorization bill that was attacked again by a mutual friend of ours, a Senator on the other side. It was described to me as a near tantrum that he wants absolutely nothing. And we have tried to work this out with four-star admirals and generals over the last few months.

But since Mrs. Davis made reference to it, Mrs. Davis, with what you know about what we are trying to do in the authorization bill to set up an office at our highest military headquarters, the Pentagon, on an office in any conflict with great latitude to not have lawyers running around bothering combat CINC's in the time of major conflict. The first 4 days of the land war in Desert Storm, for example, the first 6 months of the Korean war before it settled down into a negotiating morass of slow bloodletting on both sides or certainly any theater at any time during all of World War II where there are people missing by the hundreds.

What do you think, having lived through this nightmare with your husband's missing in action, April 22, 1970, incident, what do you think about what you understand about the Missing In Action Office as we have written it into the authorization bill?

Mrs. DAVIS. I think it would be a great thing. All we want, Mr. Chairman, is the truth.

Mr. DORNAN. And one office to go to.

Mrs. DAVIS. And one place to go and one place that somebody can answer our questions truthfully. We, as a crew family voted, we wanted our own forensics done on these remains. If we couldn't do that, we just wanted to look at them. But we were not allowed to do anything.

Mr. DORNAN. But this is more than just an office, it is an act, Missing Military Persons Act, which has many facets to it.

Mrs. DAVIS. We desperately need it.

Mr. DORNAN. And with one single office in the Pentagon that would go from search and rescue to legal representation, to identification, to include the CIL at Hickam Air Force Base, you would have one place for the families to deal with and they would, it would build up a confidence level that there was a corporate memory established in one military/civilian institution so that you are not always dealing with new personnel or people new to live sighting reports.

Again, going back to that Air Force aide of President Nixon, it is my job, he says, to pat these relatives on the head and send them on their way. And I am not afraid to give you false hopes when I tell you that Al Santoli, on my staff, arranged a visit from a Vietnamese lieutenant who was declared missing and then dead in 1950, in the hectic first months of the Korean war—then called a police action—he managed to escape. He was not allowed to leave like Garwood. He escaped and it almost cost him his life, in the rain, across the Yellow River in between guard posts, with zero visibility and worked his way along the southern coasts of Manchuria and then went out to see his sister. She was a retired college professor, that was how long he was gone. He knew her to be a high school teacher and he traced her that way through very erratic communications.

And when he was picked up at sea by South Korean fishing boats, he was in a coma, he was in that bad of shape. And here he was in my office a few months ago. A simple name, Cho, Lieutenant Cho, 44 years until his escape in 1994.

And he told me that he thinks there are at least 9,000 or 10,000 Koreans who worked their way back into the society as kind of half-prisoners, allowed to marry and so forth. And then I held my

breath as I asked him the question, did you ever see any live American prisoners? And he said, other than his first few weeks when they were all captured and prisoners were moving north, he saw many Americans then and many of those men have come back and many have not.

But there is that 389 I mentioned earlier, but it just shows that the human spirit is indomitable and that the man in the iron mask, although fiction, has been relived many times in gulag camps over the centuries. And that it is possible for someone, particularly if he taught survival, as your father did, your husband, Marie.

So I hope that there is some process I can discuss with somebody at some point about how live sighting reports are handled today. I thought with Cray computers, available to the Pentagon at all of our weapons laboratories that we could borrow some time to run through the testimony of every single boat person, phonies and not-so-phonies and try to correlate something other than the clustering of pins on the maps in that cellar office over on the Senate side that the special committee ran out of in 1991 and 1992.

I do not have any other questions except to say that I will try and track your case, the Gould case, and use it as an example. Because other than Harley Hall, shot down precisely 5 weeks later, well, December 20, 11 days, no, 38 days later, you are not going to get a more recent case and it is not in Vietnam or Cambodia, which were the killing fields, just a charnal house of death. I will look at the coordinates on the map and ask somebody from DIA to help me and look at where your father's plane went down in that 100-mile circle of all of the five survivors and use your case as a test case.

Ginger, I know enough about your problem there, Fisher's pistol and everything that we are going to keep tracking this one also. And, Ann has been the one who has really pointed out to me that this was the first time that there has been a violation of almost a sacred understanding that there would be no mass burials of any remains that were not identified.

Mrs. GRIFFITHS. Well, on that subject, what Mrs. Davis just referred to, saying that they wanted a second opinion and were not allowed. The procedures clearly called for, the approved procedures for CILHI and AFIRB, called for permitting the families to be advised that they have the opportunity for a second opinion.

I am wondering, and since the next panel is not involved in CILHI and AFIRB, if they were not allowed a second opinion was it because they were not individually identified and, therefore, there was not an individual family? I think that begs clarification. Because if there were not enough remains there to have the family members want to be able to achieve a second opinion as required in the procedures, then why would they be interred as those people particularly when there was evidence that the Government of Vietnam has knowledge, including nine torsos or nine bodies. I cannot remember exactly how it was worded.

But I do not, as I say, know individuals, specifics of individual cases. What I do know is the provisions of those procedures took us 3 years to write, and I have heard very disturbing things about violations of those procedures, most importantly the kind of intel-

ligence that would come from the intelligence community like Valerie and Marie were referring to here. If they had had remains, if they had not then considered all relevant intelligence information when assessing a case, and it was an ambiguous skeletal case with very little to deal with, but it came from the last known location? You might have exactly the same kind of a circumstance.

It is absolutely crucial that all intelligence information and all relevant data, any other, as the procedure states, be considered. And that there be the kind of meetings of the AFIRB where these people can sit and talk to each other. The purpose in setting up the AFIRB was not to have more scientists get together, or to have any kind of—it was to have people who were not scientists review, from a thinking person's standpoint, all the scientific data, all of the intelligence, everything that could have any impact on whether or not the recommendation for identification should be approved.

And when you have a case like what we have just seen in Ref. No. 1600, and unless there is an awful lot more and there easily could be, I am not saying there is not, then there is a real problem. And I think there needs to be clearly some oversight on whether those approved procedures, they are great procedures, are being implemented conscientiously and across the board to the detail.

And, at this point, and I am very sad to say, that I have very good reason to believe it is not. And I think it is an appalling situation.

Mr. DORNAN. Another thing that we may have to look at in a long ongoing situation is this idea of a reward for evidence. If Francis Gary Powers, the U-2 pilot, is given gold coins to buy his way out in an escape evasion situation, as were many of our people involved in covert actions in this same area of the world, Burma, during World War II, maybe what is wrong is to reach the level of frustration as I did with the current Governor of Connecticut, John Roland, and about eight or nine others that went down to North Carolina to the big NASCAR race track there and had a big press conference where we all pooled our resources to come up with \$1 million.

As I look back, one thing that money caused that was very painful was a proliferation of phony information and fake dog tags. It is like the Donahue story, which we both know so well, Col. Bud Donahue, the more he and his son went over there, the more they traveled, exhausted all of their life savings, all of his retirement money, terrible strain on Mrs. Donahue, the more they went over there and asked, the more rumors turned up that here was Donahue—Morgan is his name, the son?

Mrs. GRIFFITHS. Yes.

Mr. DORNAN. He is here, he is there, he is everywhere. Maybe there is a way to approach this with legislation next year to set up some procedure with covert offers of rewards. After all when Maj. Richard Higgins was captured in Lebanon and finally brutally executed, hung, and then the film released, there was, and I think it is still out there, \$500,000 bounty was put on the head, leading to the arrest or apprehension of anybody who had anything to do with killing this Marine major who was then on U.N. assignment.

And there are examples all the way through history. One of our greatest Presidents, he is on Mount Rushmore, Thomas Jefferson,

paid gold, blackmail bounty rewards to get people back in the Barbary pirates wars or we would have never seen them again. Now, that is ancient history in the history of this Nation, going back 200 years ago in the next decade. But there has got to be some way to do this covertly in a situation like Laos where there are these separate tribes and someone might respond to this.

What I do not understand is what Valerie and Marie are testifying here about a man saying, look, I do not need to be relocated unless I come through for you. And if I come through for you then get me out of here, will you? If that is all true the way it has been reported to you then that is something I want to look at, too.

Again, the bells have been merciful to us, but here is an amendment to stall until a day what we were talking about earlier, December 1, to even consider the President's veto.

There is a long gap coming up, so talk about rhythms on the Hill. Mrs. Davis, Ms. Gould, Valerie, excellent testimony. Thanks for helping out, Ann, again, with the superb suggestions, and I will go vote quickly and when we come back you might stay around to listen to the testimony of some people that I think have just dedicated most of their career to this in a very, very positive way, the people from the Central Investigative Lab out in Hawaii and try and find out from them this new change in policy that started with your husband's crash.

Mrs. GRIFFITHS. Thank you.

Ms. GOULD. Thank you.

Mrs. DAVIS. Thank you.

Ms. GOULD. Thank you, very much.

[The prepared statement of Valerie J. Gould follows:]

Valerie J. Gould
Daughter of Col. Frank A. Gould, USAF
Missing In Action in Laos

For

Sub Committee of Military Personnel
Committee on National Security
U.S. House of Representatives

November. 14, 1995

The following are other incidents regarding the lack of follow through and questionable handling of Col. Frank A. Gould's case.

1. In November 1994, a live sighting report (**Exhibit 7-7e**) was made by a Laotian U.S. Embassy guard in Laos, who reported that he had received a letter from a childhood friend asking if anyone was interested in information regarding an American who was living in the Louang Namtha province since the Vietnam war. The childhood friend works at a Laotian Government office. The friend alluded that he could furnish

additional information if anyone was interested. The guard turned over two sheets of identification media on Frank Gould, but at the time of the interview could not locate the separate letter sent to him by his friend. The guard indicated that his brother had been visiting at the time the letter had been received and that he may have taken it back to the U. S. with him, The guard the name , address and telephone number of the brother and suggested the our (the U.S.) government contact him. The U.S. Government did not contact either the brother or the author of the separate letter which reportedly contained authenticating information, such as when and where Frank Gould attended school, proving that he was alive. Several months passed before the brother living in the U.S. was contacted by the U.S. Government regarding this separate letter.

We, the family of Frank Gould, frustrated by the lack of follow up, contacted him long before our government investigators. It has been over one year since the primary source living in Louang Namtha, Laos has attempted to get assistance for an American POW and to date, no one, no one from the U.S. Government has even interviewed him.

2. When the family interviewed a source from one of the live sightings, he revealed that villagers had for some time been trying to help my father, Frank Gould. He said the villagers felt sorry for him and finally agreed to go to the U.S. Embassy and tell the embassy of his existence. At the U.S. Embassy, they or whomever went there, were told that Frank A. Gould was dead. When they persisted in stating he was alive, they were again told "don't you understand, this man is dead. He's dead." They then went back to my father and told him the U.S. Embassy said he was dead. My father started to cry and told them, "you must go back and tell them I'm alive, I'm alive." He then gave them information that he said would convince the government that he was still alive.

The source said the villagers felt bad for Frank Gould and watched him for sometime trying to figure a way to help him escape from the Hmong leader who was holding him, but found they could not as he was watched constantly.

We think it is possible that this is the information that could be in the letter from the source that the government has yet to interview . It could also be the further information alluded to by the source. Either way, we think it is crucial that one, the U.S. Embassy STOP turning people away and saying Frank Gould is dead. IF my father, Frank Gould is ALIVE, **he would tell people to go to the U.S. Embassy to tell them he is alive and to come and get him.** Two, They stop waiting to corroborate all the live sighting reports, get out from behind their desks and go check them out.

3. The government has been leaving out all of the live sighting reports but for one questionable sighting of a man downed in 1965 from his activity reports.(**Exhibits 10-16**) We have one report that was done in June of 1992 and six separate reports done a month apart in 1994. All neglect the most recent and compelling sightings. Again, we would like to know why?

4. The government has also been maintaining that they possess all of Frank A. Gould's identification media when that is not the case. They currently possess only **one** of the **two** dog tags that were issued to Frank Gould. They also **ONLY** possess the back piece of lamination from his military identification card. Some of the live sighting reports have cited copies of his i.d. media as proof of his survival. When they have been recieved, our government analysts have stated that all of his identification media has been turned in so its really unlikely that they could furnish them. My father, Frank A. Gould, could very easily have the rest of his identification media if he has been allowed to keep it.

5. The government not only responded in writing to my mother that "none of the reports contained any verbiage that Frank Gould wanted to come home," but have made the same statement **in a second internal report.** (**Exhibit 9**)

6. The government is taking the stand that without being able to corroborate the live sighting information it is "not feasible" to request his release or mount a rescue operation. **(Exhibit 9, pg. 3, para 1, last sentence)** I would like to point out this is in direct conflict with #7 and Exhibit 17.

7. The fact that some of the sources of the live sighting reports **know** each other appears to be used to downgrade their live sighting reports. **(Exhibit 17)** May I point out that resistance fighters or sympathizers usually **ONLY** work with people they know.

(Think about the resistance fighter cell groups of WWII.) Perhaps the reason that the same people keep trying to convince our government that Frank A. Gould is alive, is because he is alive and they keep trying to help him. **Again as stated above, this is in direct conflict with #7 and the last sentence of page 3, para. 1, of Exhibit 9)**

Question on rewards

We would also like to know why they are refusing to pay rewards for a live man turned over to them and are denying that any have ever existed or exist now. The U.S. Government most certainly has paid rewards in the past, including in Vietnam. Flyers in Vietnam were sent out with blood chits that offered a reward to whomever helped them back to our lines. This wasn't something new, the government gave WW II flyers similar bloodchits.



Page 1

PAGE 001

MSGNO 111 (PCXX) *08/27/85* *05:08:38.4.3*
 ZCZC 10:07:23Z (PG)
 RTTSZYUW RUEKJCS1263 2390758- -RUEALGX.

Live Sighting
 Road Gang
 Houaphan Province

R 270758Z AUG 85
 FM JCS WASHINGTON DC
 INFO RUEALGX/SAFE
 R 270754Z AUG 85
 FM JCRC LIAISON BANGKOK TH
 TO RUHQBPFA/CDR JCRC BARBERS PT HI
 RUHQHQA/USCINCPAC HONOLULU HI//J2/J3/J36//
 RUEKJCS/DIA WASHINGTON DC
 BT
 EZ1:

LIAISON BANGKOK TH 51263

CITE: 3533 AUG 85.

EZ2:

SUBJ: LIVE SIGHTING BY LAO REFUGEE

REF: AMCONSUL UDORN MSG, DTG 260739Z AUG 85

1. THE FOLLOWING REPORT HAS BEEN RECEIVED BY OUR OFFICE
 FROM THE AMERICAN CONSULATE IN UDORN.

2. SC (NLN), A LAO REFUGEE WHO ARRIVED IN
 PHONPHISAY DISTRICT, THAILAND ON AUGUST 12, REPORTS
 THAT HE SAW AN "AMERICAN" IN HOUAPHAN PROVINCE, LAOS IN
 1979 (HE DOES NOT RECALL THE MONTH). SC A RE-EDUCA-
 TION CAMP PRISONER OF CAMP NO. 03, MUANG KHAM (NCA),
 XIANGKHOUANG FROM 1977 TO 1979, TOLD US THAT HE WAS AL-
 LOWED TO TRAVEL TO HOUAPHAN (FORMERLY SAMNEUA) TO TRADE
 FARM ANIMALS IN 1979. WHEN HE ARRIVED AT MUANG HAM
 (VH 9747), HOUAPHAN PROVINCE, HE SAW A ROAD GANG CONSIST-
 ING OF FORMER ROYAL LAO GOVERNMENT AND REPUBLIC OF VIET-
 NAM OFFICIALS AND ALSO SOME LOCAL VILLAGERS WORKING ON
 ROUTE SIX. THE ROAD GANG SUPERVISOR WAS A MALE CAUCASIAN
 WHO DROVE AROUND THE CONSTRUCTION SITE IN A VEHICLE.

SC STATES THAT THE "AMERICAN" WAS TOO DISTANT FOR HIM
 TO VIEW PHYSICAL CHARACTERISTICS. HE ADDED, HOWEVER, THAT
 ONE OF THE VILLAGE LABORERS, A NAME TOLD HIM THAT
 THE MAN WAS A B-52 PILOT WHO HAD BEEN SHOT DOWN, THAT HE
 HAD BEEN ALLOWED TO SETTLE IN HOUAPHAN AND THAT HE HAD A
 LAO WIFE AND FOUR CHILDREN. ACCORDING TO SSC, THE
 "AMERICAN" WAS HAPPY IN LAOS AND DID NOT WISH TO LEAVE.

SC STATES THAT SSC WAS A NATIVE OF BAN NA HUNG,
 TASSENG (SUB-DISTRICT) HAT BOK, MUANG KHAM, XIANGKHOUANG
 PROVINCE. HE HAD HIRED HIMSELF OUT AS A LABORER ON ROUTE
 SIX DURING A VISIT TO HOUAPHAN.

3. SC ABOUT 25, CLAIMS TO HAVE BEEN A
 SPECIAL GUERRILLA UNIT (SCU) SOLDIER FOR OVER A YEAR
 BEFORE BEING ARRESTED AND SENT TO RE-EDUCATION CAMP BY
 LPDR AUTHORITIES IN 1977. END OF REPORT.

REQUEST
 SKETCH
 MAP



DEFENSE INTELLIGENCE AGENCY

WASHINGTON, D.C. 20340

Exhibit 2

 Live Sighting
 Norman Laos
 Hill Tribe

/POW-MIA

13 AUG 1991

TO: Headquarters
 Air Force Military Personnel Center
 DPMCB, ATTN: Mr. George Atkinson
 Randolph AFB, TX 78150-6001

SUBJECT: Transmittal of "Dog Tag" Information on Colonel
 Frank A. Gould, USAF

1. In November 1990, a DIA analyst received information passed telephonically by an ethnic Lao resident of the United States. The information had been passed to the source by a restaurant owner in Luang Prabang while she was visiting relatives in Thailand and Laos. He related the story of two American pilots who crashed in Laos in 1974 or 1975 (location unknown). One pilot died; the other lived and married a hill tribe woman in a remote unknown area. They had one child with red hair and "American" features. The pilot who died had an identification card covered with hard plastic. The following information was on the card:

Gould, Frank A.
 10124325000
 A+

2. The Lao restaurant owner was in possession of the card which he kept, giving the source a hand-written copy of the information. He indicated he was seeking a reward and would be willing to look for the American who was still living in northern Laos.

3. The analyst explained to the source the policy of no rewards, but said we were interested in the information. He asked her to encourage the sub-source to turn in the identification media to the U.S. Embassy or to the Ministry of Foreign Affairs in Vientiane.

4. We will keep you advised of any additional information we may receive pertaining to this case.

Charles F. Trowbridge, Jr.
 CHARLES F. TROWBRIDGE, JR.
 Deputy Chief
 Special Office for Prisoners
 of War and Missing in Action

***** SERVICE DATA SCREEN *****

NAME	SSN	REL	CITY	MIL	DATE IN
66040 BARR, ALTON	101243380	OV	LA	SNR	721221

DOB	DOB	AGE	STATUS	RACE	SEX	GRADE	GRADE FROM	DOC.
07/30/74	05/22/33	46	M	C	M	O6	COL	0

HOME CITY	STATE	CITY	CODE	LAC	ORP	LOS	CAS	REASON	AIRCRAFT
NEW YORK	33		1	1	7908	*	A3	8	2

COMMENTS A

**** PRESS "ESC" TO CONTINUE ****

SC WAPPEN
 10-11-90
 SD CITY, STATE SD TEL SD
 SD (V) APHAY (C) MEUANA - (D) LUANGPRABANG
 AL STATUS: MARRIED-SINGLE: #CHILDREN: 3
 TO RE-EDUCATION CAMP: N/A DATE OF RELEASED-ESCAPED: N/A
 ARRIVED THAILAND-~~TH~~ASA: DEC 1980 REFUGEE CAMP: SD
 ARRIVED UNITED STATES: SEPT 1981
 IOUS OCCUPATION/MILITARY EXPERIENCE:
 BE 1975 House wife (half Chinese and half Lao) her husband
 name SD used to work with USAID agriculture.

SUMMARY OF POW INFORMATION

ON Sept 1990 SC with her mother and sister went to Laos to visit their relatives in THAILAND and Laos, stayed in VIENTIANE for two weeks, one week in LUANGPRABANG and two week in BANGKOK THAILAND

While visiting LUANGPRABANG stayed with her aunt name MRS SD, one morning source and her aunt went out together to have a chimoso lunch in a small restaurant just one block from SD house

The restaurant's owner called SSC (UNCLE) knew that source came from U.S. to visit her aunt (SD), then SSC told source the story about two AMERICAN pilots who crashed in Laos in 1974 or 1975, (did not know location), one pilot died and the other was still alive and married with Hill tribe woman NAME in the remote country side had one child with red hair look like AMERICAN (did not know location)

one pilot who died SSC had his ID card covered by hard plastic name GOULD FRANK A. 10124325000.0APOS, but SSC kept the original of ID and gave source one copy of paper hand writing only. 101242560

SSC asked source if the USG is interested about this matter and how much the USG will pay for reward for the dog tag, ID, and remains, then SSC will look for AMERICAN pilot who is still alive in the country side somewhere in the northern Laos (did not know the province or location)

next page

I explained the no reward policy of the USG and told source that although we are interested in the information and would gladly accept it, we would not pay for either information or remains. I also explained to source the ongoing bilateral efforts between the USG and the GOL, that the POW-MIA policy was strictly humanitarian in nature and that no rewards are offered.

I told source to tell SSC in LUANGPRABANG who had dog tag and ID card in his possession to either turn them into AMEMBASSY in VIENTIANE or the ministry of foreign affairs in VIENTIANE.

COMMENTS: Source seems to be monetarily motivated.

Exhibit 3.



DEFENSE INTELLIGENCE AGENCY

WASHINGTON, D.C. 20340.



/POW-MIA

25 MAR 1991

Live Sighting
Rescue
for
Relocation

TO: Headquarters
Air Force Military Personnel Center
ATTN: DPMCB, Mr. George Atkinson
Randolph AFB, TX 78150-6001

SUBJECT: Transmittal of Documents, Col Frank A. Gould, USAF

1. Enclosed are sanitized copies of two USDAO Bangkok messages from the same source who claims that friends of his know that Col Frank A. Gould, USAF, is alive. The friends are demanding money in exchange for the return of Col Gould. As proof, they offered identification data pertaining to Col Gould copied from his dog tag. The source's information has been previously reported in JCRC refugee report T91-037.

2. The source openly admitted that he wanted resettlement privileges in exchange for helping "rescue" Col Gould. He was explained the U.S. Government policy of not paying for information.

FOR THE DIRECTOR:

2 enclosures

1. USDAO Bangkok msg
DTG 110630Z Feb 91
2. USDAO Bangkok msg
DTG 070858Z Feb 91

Charles F. Trowbridge, Jr.
CHARLES F. TROWBRIDGE, JR.

Deputy Chief
Special Office for Prisoners
of War and Missing in Action

1
2
3

EX-100-737
JOINT STAFF
INFO SERVICE CENTER

COPY NUMBER-----
10A

ROUTINE
R 070858Z FEB 91
FM USDAO BANGKOK TH//PW-MIA//
TO DIA WASHINGTON DC//PW-MIA/

ZYUW RUEHBKA5286 0380858

BANGKOK TH 05286

CORRECTED COPY---PLEASE DESTROY DTG 070819Z FEB 91

SUBJECT: GOULD REPORTING

1. SC SOURCE OF JCRC RPT 90-544, 4 DEC 90, CALLED STONY BEACH ON 6 AND 7 FEB 91 WITH THE ID DATA FOR FRANK A GOULD THAT WAS REPORTED IN JCRC RPT 91-037, MSG, DTG 050513Z FEB 91.

2. SC CLAIMS LAO CITIZENS WHOM HE NOT IDENTIFY SAY GOULD IS ALIVE. THE LAO SOURCES DEMAND A REWARD BEFORE BEING INTERVIEWED. SC WOULD PROVIDE NO FURTHER DETAILS ABOUT GOULD.

BT

ACTION DIA/SPEC(10) ICY IPA TO PW-MIA, MR BENEDICT

MCN=91038/02380

TDR=91038/09072

T40=91038/0913Z

COSN=M14363

PAGE 1 OF 1
070858Z FEB 91

EXHIBIT 33

JOINT STAFF
INFO SERVICE CENTERCOPY NUMBER 104
PW-111AROUTINE
R 110630Z FEB 91
FM USDAO BANGKOK TH//PW-MIA//
TO DIA WASHINGTON DC//PW-MIA//

ZYUW RUEHBKA5739 0420631

BANGKOK TH 05739

GOULD ALIVE AND WANTS
TO COME HOME

MINIMIZE CONSIDERED FOR MILITARY ADDRESSEES

SUBJECT: GOULD REPORTING

1. ^{SC} MET WITH STONY BEACH
DEBRIEFERS ON 8 FEB 91. HE CLAIMS UNIDENTIFIED LAO
CITIZENS IN CHIANG RAI PASSED HIM THE DATA IN PARA 2
BELOW AND CLAIMED GOULD WAS ALIVE AND WANTED TO RETURN
HOME (NFI). THE SUBSOURCES WANT MONEY FOR FURTHER
INFORMATION.

2. SOURCE PROVIDED THE FOLLOWING DATA ON
GOULD (DATA ALL ON ONE PHOTOCOPIED SHEET WITH HAND-COPIED
J.O. CARD):

- A. 6554508
- GOULD FRANK A
- 131242560 A POS
- NO PREF
- DOB 22 MAY 33
- WEIGHT 180
- HEIGHT 5 FT 11 IN.
- HAIR BROWN EYE BLUE A POS
- DATE OF ISSUE 30 SEP 66
- B. RUBBING OF EPISCOPAL CHURCH MEDALLION
- C. RUBBING OF 1963 COIN.
- D. RUBBING OF UNIDENTIFIED/ILLEGIBLE EQUIPMENT PLATE

3. SOURCE WAS PLANNING TO TRAVEL
TO GET FURTHER INFORMATION. SOURCE OPENLY
ADMITTED HIS MOTIVATION WAS TO GAIN A PERMANENT RESIDENT
VISA TO THE UNITED STATES IN RETURN FOR RESCUING AN
AMERICAN. RO COUNSELLED SOURCE ON REWARDS POLICY.

BT

ACTION DIA/SPEC (10)

(M)

MCN=91042/00985 TOR=91042/06362 TAD=91042/06372 COSN=MIA581
PAGE 1 OF 1
110630Z FEB 91

Exhibit 4

PAGE:0001

Live Sighting
Frank Gould
in Cave
w/ 3 other
Americans

Phongsali
Border,
Laos

INQUIRE=DOC14D
ITEM NO=00586245
ENVELOPE
CDSN = LGX153 MCN = 91161/02875 TOR = 911610537
RTTSZYUW RUEKJCS7508 1610537- --RUEALGX.

HEADER
R 100537Z JUN 91
FM JOINT STAFF WASHINGTON DC
INFO RUEALGX/SAFE

R 100530Z JUN 91
FM JCRC LIAISON BANGKOK TH
TO RUHQBP/CDR JCRC BARBERS PT HI
INFO RUEKJCS/JCS WASHDC//OCJCS-PW-MIA/J5//
RUEKJCS/SECDEF WASHDC//OASD-ISA/PW-MIA//
RUHQHQA/USCINCPAC HONOLULU HI//J3//
RUEKJCS/DIA WASHINGTON DC//PW-MIA//
RUEADWW/NSC WASHDC
RUEHC/SECSTATE WASHDC//EAP-VLC//
RUMJFS/AMEMBASSY VIENTIANE
RUDKUD/AMCONSUL UDORN
RUDKIA/AMCONSUL CHIANG MAI

BT
CONTROLS

BANGKOK TH 27508

0264 JUN 91

BODY
SUBJ: JCRC RPT 91-194; HEARSAY OF FOUR AMERICAN BEING
HELD IN A CAVE ON THE PHONGSALI BORDER, LAOS

1. SOURCE/ADMINISTRATIVE DATA:
- A. NAME: *SD*
- B. DPOB: *SD*
- C. ADDRESS: *SD*
- D. PROFESSION: PRE-75: *SD*
SD IN PAKSE; POST-75: FARMER
- E. LANGUAGES: LAO (NATIVE)
- F. DATE OF INFORMATION: 9 FEB 91
- G. INTERVIEWED AT SOURCE'S HOME ON 12 MAR
91, BY H.G. COLE, MSGT, USAF

2. SUMMARY: SOURCE REPORTS LIMITED HEARSAY OF
FOUR AMERICANS BEING HELD IN A CAVE ON THE PHONGSALI
BORDER, LAOS.

3. INFORMATION: SOURCE REPORTS THAT HE RECEIVED A LETTER WRITTEN IN THAI FROM SSC DATED 9 FEB 91.

THAILAND.

SSC LETTER SAID THAT SSC A LAO SOLDIER, CAME TO CHIANG KHONG IN OCT 90. SOMLA TOLD HIM THAT HE WAS MEMBER OF A LAO SPECIAL FORCES UNIT "LAK KONG." SSC SAID THAT HE HAD ALSO BEEN A SECRETARY FOR KAYSONE PHOONVIHAN, PRIME MINISTER OF LAOS. SSC SAID HE HAS A FRIEND (NFI) WHO IS GUARDING FOUR LIVE AMERICANS IN A CAVE ON THE PHONGSALI BORDER. (NOTE: SOURCE DOES NOT KNOW WHICH BORDER PHONGSALI AND VIETNAM, CHINA, LOUANGPHRABANG, OR OUDOMXAI.) SSC SAID ONE OF THE AMERICANS IS 170 CM TALL WITH BROWN EYES. HE SAID THE AMERICANS ARE USED, TO REPAIR BROKEN MACHINERY FOR THE LAO. SOURCE SAID HE HAS NEVER SEEN THE FOUR ALLEGED AMERICAN PRISONERS. SOURCE SAID THAT SSC AND SSC ARE INTERESTED IN COLLECTING A REWARD.

4. SOURCE SAID SSC ASKED HIM TO FIND OUT IF THERE REALLY IS A REWARD, AND TO CONTACT THE AMERICAN EMBASSY TO REQUEST A SMALL TAPE RECORDER, AND SOME 35MM FILM. SOURCE SAID SSC ALREADY HAS A CAMERA. SOURCE SAID HIS FRIEND WANTS TO GET "1000 PERCENT PROOF" OF A LIVE AMERICAN.

5. COMMENT: JCRC REP INFORMED SOURCE OF THE USG POLICY CONCERNING REWARDS. SOURCE HAS REFERRED TO JCRC-LNO BY JVA. A COPY OF THIS REPORT WAS PASSED TO STONY BEACH.

ADMIN

BT

#7508

NNNN

Exhibit 4A.

PAGE:0006

Follow Up
on Live Sighting
of Frank Gould
in Cave w/
3 other Americans

ENVELOPE

CDSN = LGX783 MCN = 92027/04857 TOR = 920270834
RTTSZYUW RUEKJCS4652 0270831 --RUEALGX.

HEADER

R 270831Z JAN 92

FM JOINT STAFF WASHINGTON DC
INFO RUEADWD/OCSA WASHINGTON DC
RUEAHQA/CSAF WASHINGTON DC
RUEACMC/CMC WASHINGTON DC
RUEAIAQ/MPCFTGEOGEGMEADMD
RUEHC /SECSTATE WASHINGTON DC
RULKQAN/MARCORINTCEN QUANTICO VA
RUEALGX/SAFE

R 270818Z JAN 92

FM USDAO BANGKOK TH//PW-MIA//
TO RUEKJCS/DIA WASHINGTON DC//PW-MIA/DAM//
INFO RHEHAAA/WHITEHOUSE WASHDC//NSC TIN CARNEY//
RUEKJCS/SECDEF WASHDC//OASD-ISA/PW-MIA//
RUEKJCS/JCS WASHDC//J5/OJCS-PW-MIA//
RUHQHQA/USCINCPAC HONOLULU HI//J2/J233/J3/J36//
RUEAIIA/CIA WASHDC
RUHQBPA/CDR JCRC BARBERS PT HI
RUEHKL/USDAO KUALA LUMPUR
RUEHHK/USDLO HONG KONG

BT

CONTROLS

SECTION 01 OF 03 BANGKOK TH 04652

SERIAL: IIR 6 024 0093 92.

/***** THIS IS A COMBINED MESSAGE *****/

BODY

COUNTRY: LAOS (LA).

SUBJECT: IIR 6 024 0093 92/STONY BEACH FOLLOW-UP
INTERVIEW TO JCRC REPORT 91-194

REFS: A. JCRC-LNO MSG 100530Z JUN 91, SUBJ: JCRC APT
91-194; HEARSAY OF FOUR AMERICANS BEING HELD
IN A CAVE IN THE PHONGSALI BORDER, LAOS
B. DIA MSG 121530Z JUL 91, SUBJ: DEBRIEFING
REQUEST-- JCRC LEADS

WARNING: THIS IS AN INFORMATION REPORT, NOT
FINALLY EVALUATED INTELLIGENCE. REPORT

DEPARTMENT OF DEFENSE

PAGE:0007

DOI: 901000.

REQS: D-VOP-2430-03-90.

SOURCE: // SC SOURCE

RELIABILITY HAS NOT BEEN ESTABLISHED.

SUMMARY: THIS IS A STONY BEACH REPORT. IT CONTAINS LIMITED HEARSAY INFORMATION PERTAINING TO FOUR AMERICANS HELD CAPTIVE IN NORTHERN LAOS. FRAGMENTARY INFORMATION INDICATES THAT ONE OF THE ALLEGED AMERICANS IS "FRANK GOULD". THIS REPORT IS IN RESPONSE TO A DIA MSG, DTG 121530Z JUL 91, SUBJ: DEBRIEFING REQUEST--JCRC LEADS.

TEXT:

1. IN FEB 91, THE SOURCE IN REF A WAS INTERVIEWED BY A JOINT CASUALTY RESOLUTION CENTER (JCRC) REPRESENTATIVE, WHO REPORTED INFORMATION RECEIVED IN A LETTER FROM THE SOURCE OF THIS REPORT. THE LETTER CONTAINED LIMITED INFORMATION FROM A LAO SOLDIER CLAIMING TO HAVE A FRIEND WHO IS GUARDING FOUR LIVE AMERICANS IN A CAVE ON THE PHONGSALI BORDER. REF B REQUESTS STONY BEACH CONDUCT FOLLOW-UP INTERVIEWS WITH SOURCES IN JCRC REPORTING. RO ATTEMPTED TO CONTACT SOURCE AT HIS HOME IN OCT AND DEC 91, BUT HE WAS NOT THERE DURING BOTH VISITS.

2. ON 21 JAN 92, SOURCE WAS AVAILABLE FOR INTERVIEW AT HIS HOME. RO ASKED SOURCE TO EXPLAIN HOW HE MET WITH THE LAO SOLDIER WHO CLAIMS TO HAVE A FRIEND GUARDING FOUR AMERICANS IN LAOS. HE SAID THAT HE MET A LAO SOLDIER NAMED SC. IN OCT 90, AT THE BAN CHAM PONG MARKET //UTMCOORD--PCS828//. BAN CHAM PONG IS AN AUTHORIZED BORDER CROSSING POINT IN CHIANG KHONG DISTRICT, CHIANG RAI PROVINCE, THAILAND. SOURCE HAS SELLING PRODUCE AT THE MARKET WHEN SC ENGAGED HIM IN CONVERSATION. THE LAO SOLDIER WAS A GIFTED TALKER, AND HE CLAIMED THAT HE USED TO BE A SOLDIER IN KAYSONE'S SPECIAL UNIT CALLED "LAK KONG" (NFI). SC LIVES IN MUANG OUDOMXAI, BUT SOURCE DOES NOT KNOW HIS ADDRESS. SC SAID THAT HE WAS SEARCHING FOR SOMEONE WHO COULD CONTACT USG OFFICIALS ABOUT A REWARD FOR US PRISONERS. SOMLA WENT ON SAYING THAT HE WAS PART OF A GUARD UNIT (NFI) THAT CONTROLLED THE FOUR AMERICAN PRISONERS. SOURCE DOES NOT KNOW IF THE GUARD UNIT WAS CALLED "LAK KONG" OR IF IT PERTAINED TO ANOTHER UNIT THAT SC WAS ASSIGNED TO PREVIOUSLY. SC TOLD HIM THAT ONE PRISONER IS MARRIED TO A LAO THEUNG WOMAN AND HAS FOUR CHILDREN. ANOTHER PRISONER IS ADDICTED TO OPIUM. THEY ARE

RESTRICTED TO A VILLAGE AREA, AND WORK IN THE FIELDS. SOURCE DID NOT KNOW HOW TO CONTACT THE U.S. EMBASSY WITH THIS INFORMATION. A FRIEND FROM HIS VILLAGE TOLD HIM OF A LAO MAN NAMED NAME, WHO NOW LIVES IN THAILAND, AND HE WOULD KNOW IF THERE IS SUCH A REWARD. SOURCE SAID HE WROTE A LETTER TO NAME AND ASKED HIM TO RELAY THE INFORMATION TO USG OFFICIALS AND SEE IF THERE WAS A REWARD OFFERED. SOURCE RECEIVED A LETTER FROM NAME, WHICH SAID THAT HE HAD RELAYED THE INFORMATION ABOUT THE FOUR AMERICAN PRISONERS TO A USG OFFICIAL, BUT HE FOUND OUT THAT THERE IS NO REWARD OFFERED FOR AMERICAN PRISONERS.

3. SOURCE SAID HE ENCLOSED IN THE LETTER TWO PHOTOCOPIES WHICH CONTAINED INFORMATION PERTAINING TO THE IDENTITY OF ONE OF THE LIVE AMERICANS. HE KEPT COPIES FOR HIMSELF; HOWEVER, HE COULD NOT LOCATE THEM AT THIS TIME. DURING HIS SEARCH FOR THE PHOTOCOPIES HE PRODUCED A SMALL NOTEBOOK. THE NAME OF "FRANK GOULD" WAS WRITTEN IN HIS NOTEBOOK, WHICH HE COPIED FROM THE PHOTOCOPIES SENT TO BOUNCHAN. SOURCE SAID THAT THIS IS THE ONLY NAME OF THE FOUR PRISONERS THAT SSC PROVIDED TO HIM. THE NAME WAS TAKEN FROM THE INFORMATION ON THE TWO PHOTOCOPIES, WHICH HE DESCRIBED AS A MILITARY IDENTIFICATION TAG. SOURCE ALSO HAD WRITTEN IN THE NOTEBOOK THE LOCATION NAME OF DOI PHA SUAD, NEAR BAN WALUTHOUNGKE (UNLOCATED), WHICH HE SAID SSC TOLD HIM WAS THE CRASH SITE LOCATION. HE DID NOT KNOW IF THIS CRASH SITE LOCATION WAS OF GOULD ONLY, OR IF ALL FOUR OF THE ALLEGED PRISONERS WERE OCCUPANTS IN THIS SAME AIRCRAFT. SOURCE SAID THAT SSC DID NOT MENTION WHAT TYPE OF AIRCRAFT IT WAS, BUT ADDED THAT IT WAS TOTALLY DESTROYED. HE IS ALSO UNSURE AS TO WHEN IT CRASHED, BUT BELIEVES IT WAS OVER 20 YEARS AGO.

4. RO ASKED SOURCE IF SSC CLAIMED TO HAVE SEEN THE AMERICAN PRISONERS WITH HIS OWN EYES, OR HEARD THE INFORMATION. SSC TOLD HIM THAT HE HAD SEEN THE AMERICAN PRISONERS WHEN HE WAS ASSIGNED TO THE VILLAGE THAT CONTROLLED THE PRISONERS. SSC SAID THAT HE GOT OUT OF THE ARMY AROUND OCT/NOV 1989, AND THAT HE HAD SEEN THE AMERICAN PRISONERS JUST PRIOR TO GETTING OUT OF THE ARMY. SOURCE DOES NOT KNOW HOW MANY YEARS SSC HAD BEEN IN THE ARMY, BUT HE WAS A LIEUTENANT, AND HE BELIEVES SSC IS ABOUT 45 YEARS OLD. SSC TOLD HIM THE PRISONERS WERE BEING HELD IN OUDOMXAI PROVINCE, BUT HE DID NOT GIVE THE EXACT LOCATION. RO REMINDED SOURCE THAT HIS LETTER TO NAME SAID THAT THE PRISONERS WERE BEING HELD CAPTIVE IN A CAVE NEAR THE PHONGSALI BORDER. SOURCE QUICKLY REPLIED THAT "YES" THEY WERE AT ONE TIME, BUT THEY HAVE SINCE BEEN MOVED.

5. MET SOURCE AGAIN IN NOV 91, AT THE BAN

PAGE:0009

CHAM PONG MARKET. THIS MEETING WAS NOT PREARRANGED. SOURCE WAS UNABLE TO MEET WITH SSC PRIOR TO NOV 91, DUE TO PERIODS WHEN THE BORDER CROSSING WAS CLOSED. RO ASKED SOURCE IF SSC HAD SEEN THE AMERICANS SINCE HIS FIRST SIGHTING. SOURCE REPLIED THAT HE BELIEVES SSC ONLY SAW THE PRISONERS DURING THE TIME THAT HE WAS ASSIGNED TO THE VILLAGE WHERE THEY WERE BEING HELD CAPTIVE. DURING THIS MEETING SSC DID NOT PROVIDE ANY NEW INFORMATION TO SOURCE. SSC HAD PREVIOUSLY ASKED SOURCE TO OBTAIN A CASSETTE TAPE AND A ROLL OF 35MM FILM SO HE COULD PHOTOGRAPH THE PRISONERS AND RECORD THEIR VOICES. SOURCE SAID THAT SSC STILL HAS FRIENDS AT THE AREA WHERE THE AMERICAN PRISONERS ARE HELD CAPTIVE, AND THEY ARE READY TO HELP THE PRISONERS ESCAPE, IF A REWARD IS OFFERED. SOURCE PROVIDED A BLANK CASSETTE TAPE AND A ROLL OF 35MM FILM TO SSC IN NOV 91, AND ALSO GAVE HIM 2000 THAI BART (USD 80) FOR TRAVELLING EXPENSES. SSC AGREED TO MEET WITH SOURCE ON 30 DEC 91, AND SAID THAT HE WOULD HAVE THE PHOTOS AND A VOICE RECORDING OF THE AMERICAN PRISONERS FOR HIM AT THAT TIME. SOURCE WAITED FOR SSC AT THE BAN CHAM PONG MARKET ON 30 AND 31 DEC 91, BUT SSC DID NOT COME AS AGREED UPON.

6. RO EXPLAINED THE PW-MIA HUMANITARIAN POLICY TO SOURCE, AND TOLD HIM THAT THE NAME OF FRANK GOULD HAS BEEN REPORTED MANY TIMES IN THE PAST. THE INFORMATION THAT HE HAS REPORTED WILL BE PROVIDED TO THE FAMILY MEMBERS. SOURCE DID NOT KNOW IF SSC WAS IN POSSESSION OF THE ACTUAL MILITARY ID TAGS BELONGING TO FRANK GOULD, AND HE WAS NOT AWARE IF SSC HAD EVER BEEN TO THE CRASH SITE LOCATION MENTIONED ABOVE. SOURCE STATED THAT SSC CONVINCED HIM THAT THEY COULD OBTAIN A REWARD FOR THE AMERICAN PRISONERS, EVEN THOUGH ~~NAME~~ INFORMED HIM THAT THERE IS NO REWARD OFFERED BY THE USG. RO REITERATED THE USG POW/MIA HUMANITARIAN POLICIES TO SOURCE AND TOLD HIM THAT MANY THAIS HAVE BEEN CONTACTED BY INDIVIDUALS FROM LAOS, CAMBODIA AND VIETNAM CLAIMING TO HAVE SEEN AMERICAN PRISONERS IN CAPTIVITY. THESE INDIVIDUALS OBTAIN MONEY TO PURSUE THEIR SEARCH FOR A NONESIXTANT REWARD, OR SELL FRAGMENTARY INFORMATION TO WHOEVER IS WILLING TO INVEST IN HEARSAY INFORMATION. SOURCE ADMITTED THAT HE DID NOT EXPECT TO SEE SSC AGAIN, ESPECIALLY AFTER HE DID NOT SHOW UP ON 30 DEC 91.

COMMENTS: SOURCE IS A RICE FARMER WHO SUPPLEMENTS HIS MEAGER INCOME BY SELLING PRODUCE ALONG THE THAI/LAO BORDER. RO IS INCLINED TO BELIEVE THAT SSC EASILY CONVINCED SOURCE OF HIS SIGHTING OF FOUR ALLEGED AMERICANS IN LAOS, AND SOURCE IMAGINED A LARGE SUM OF MONEY IN RETURN FOR HIS SMALL INVESTMENT. SSC HAS PROBABLY SPENT MONEY ON THIS SAME INFORMATION AND HE IS TRYING TO REGAIN HIS INVESTMENT, OR HE IS TRYING TO MAKE A LIVING OFF OF OTHER PEOPLE'S GREED. SOURCE WAS

PAGE:0010

ADVISED NOT TO INVEST ANYMORE OF HIS HARD EARNED MONEY ON
POW INFORMATION.

//IPSP: PG 2430//.

//COMSOBJ: 521//.

ADMIN

PROJ: 6999-10.

COLL: AC.

INSTR: US: NO.

PREP: 6-01597.

ACQ: THAILAND, CHIANG RAI PROVINCE, (920121).

DISSEM: FIELD: AMEMBASSY BANGKOK (AMB, DCM, POL,
SA, DATLO, EX/A, JCRC).

WARNING: THIS REPORT

NOTICE:

INTELLIGENCE SOURCES AND METHODS INVOLVED-

BT

#4652

NNNN

Exh. b. 5.

live signing from
JIS sources
Hmong leader holding July
Frank Gould

MEMORANDUM FOR RECORD

30 July 91

1. On 30 July 1991, at 0800 hours, I took a phone call from LTC Jim Cole, U.S. Army. He told me that he had received a call early this morning at approximately 0230 hours, from CAPT Paul Richardson, U.S. Navy DATA

DATA CAPT Richardson wanted to pass along information on a live sighting which he had received from his niece. SC- SDA

DATA was in Thailand in a missionary/nursing capacity, and while there became friends with SSC SSO

SSC called SC after her brother, SSC contacted her. SSC told his sister, SSC that he had seen a POW on the Thai/Laotian border near Chang Raj. He identified the POW as Frank A. Gould, and said that the POW was being held by Hill Country People who wanted a reward. He also told his sister, SSC that the POW was in bad shape.

2. Frank A. Gould, Maj, U.S. Air Force, is a bona fide case, REFNO 1959. His name has been associated or used in eight (8) DOGTAG reports (6 in 1990 and 2 in 1991).

3. At 0900 hours, I placed a call to SSC SSO to find out where her brother, SSC could be contacted. She called him to the phone and I spoke with him for approximately twenty minutes. He told me that he had not seen the "POW" himself but had dealings with many Laotians from the Chang San area. The Chief of Mong in Laos wanted money to help get the alleged POW out. I explained the U.S. policy regarding rewards and he continued to insist that he would help and had already spent his own money to help save the alleged prisoner. He also explained that he would be returning to Thailand at the end of August. I explained that DIA does not task non-agency personnel to be intermediaries; talked to him about DOGTAG reporting; and thanked him for reporting his contact. SSC then told me that he had already reported this information to JCRC about three months ago. I thanked him again and passed our address and phone number to him for future reference/reporting.

4. A copy of this MFR was passed to TSGT Deckert on 5 August 1991. He will follow up on the DOGTAG reporting and notification, through the Air Force Casualty Office, of NOK.

SSC

Cynthia A. Chambers

TO EA
Singer
91

Exhibit 6

PAGE:0001

Live Sighting
OudommaiENVELOPECDSN = LGX195 MCN = 91302/03362 TOR = 913020213
RTTSZYUW RUEKJCS2830 3020213. --RUEALGX.HEADERR 290213Z OCT 91

FM JOINT STAFF WASHINGTON DC

INFO RUEALGX/SAFE

R 290214Z OCT 91

FM JCRC LIAISON BANGKOK TH

TO RUHQBP/CDR JCRC BARBERS PT HI

INFO RUEKJCS/JCS WASHDC//OCJCS-PW-MIA/J5//

RUEKJCS/SECDEF WASHDC//OASD-ISA/PW-MIA//

RUHQHQA/USCINCPAC HONOLULU HI//J3//

RUEKJCS/DIA WASHINGTON DC//PW-MIA//

RUEADWW/NSC WASHDC

RUEHC/SECSTATE WASHDC//EAP-VLC//

RUMTFS/AMEMBASSY VIENTIANE

RUDKIA/AMCONSUL CHIANG MAI

RHRWMP/AFMPC RANDOLPH AFB TX//DPMCB//

BT

CONTROLS

BANGKOK TH 52830

0466 OCT 91BODYSUBJ: JCRC RPT 91-352; HEARSAY OF AN AMERICAN PILOT
LIVING IN OUDOMXAI PROVINCE, LAOS

1. SOURCE/ADMINISTRATIVE DATA:

- A. NAME: SC
- B. DPOB: SD
- C. ADDRESS: SD
- D. PROFESSION: PINEAPPLE FARMER
- E. EDUCATION: NONE
- F. LANGUAGES: THAI, HMONG, LAO
- G. STATUS: THAI CITIZEN
- H. DATE OF INFORMATION: APR 91
- I. INTERVIEWED AT BAN THUNG SAI VILLAGE ON 10 OCT 91 BY H.G. COLE, MSGT, USAF.

2. SUMMARY: SOURCE REPORTED LIMITED HEARSAY OF AN AMERICAN PILOT LIVING IN OUDOMXAI PROVINCE, LAOS. SOURCE PROVIDED PHOTOCOPIED IDENTIFICATION MEDIA OF THE ALLEGED AMERICAN CONTAINING THE NAME "GOULD, FRANK A.".

3. INFORMATION: SOURCE REPORTED THAT IN APRIL 1991, HE MET A LAO FARMER 20 YEARS OLD FROM BAN

XE LONG VILLAGE, MUANG HASAK DISTRICT, OUDOMXAI PROVINCE, WHO CAME TO THE CHIANG KHONG MARKET, THE LAO FARMER GAVE SOURCE TWO SHEETS OF PHOTOCOPIED IDENTIFICATION MEDIA AND ASKED HIM TO PASS THE INFORMATION TO THE AMERICAN EMBASSY IN BANGKOK. SOURCE SAID THE LAO FARMER, WHO PREFERS TO REMAIN ANONYMOUS, COMES TO THE CHIANG KHONG MARKET EVERY TWO OR THREE MONTHS. SOURCE STATED THAT THE FARMER CLAIMS HE GOT THE COPIED IDENTIFICATION MEDIA FROM AN AMERICAN PILOT LIVING IN OUDOMXAI PROVINCE WITH A LAO WIFE AND FOUR CHILDREN. SOURCE SAID THE FARMER STATED THE AMERICAN STILL HAS THE ORIGINAL DOCUMENTS. SOURCE STATED THAT THE LAO FARMER SAID THE AMERICAN WAS THE PILOT OF A JET THAT CRASHED IN LAOS AND THAT THERE WAS ANOTHER PILOT BUT HE WAS KILLED IN THE CRASH. SOURCE SAID HE DID NOT ASK AND WAS NOT TOLD WHERE OR WHEN THE JET CRASHED NOR THE LOCATION OF THE DEAD PILOT'S REMAINS. SOURCE STATED THAT BAN XE LONG VILLAGE IS ABOUT SIX OR SEVEN KILOMETERS EAST OF BAN HOUAY SAI (PC5141), LAOS.

4. THE TWO SHEETS OF PHOTOCOPIED INFORMATION INCLUDES THE FOLLOWING:

(WRITTEN IN THAI)
150 MILLION BAHT
(MEDALLION)
"CHRIST DIED FOR THEE" AND "EPISCOPAL CHURCH"
(DATA PLATE)
FSN11660,4405553
(DOG TAG)
GOULD, FRANK A., DATA A POS, NO PREF -
(BACK OF ID CARD)
DATE OF BIRTH: DATA
WEIGHT: 180
HEIGHT: 5'11"
COLOR HAIR: BROWN
COLOR EYES: BLUE
BLOOD TYPE: A POS
DATE OF ISSUE: 30 SEPT 66
CARD NUMBER: 6554508

5. COMMENTS: JCRC REP INFORMED SOURCE OF THE USG POLICY CONCERNING REWARDS. THE TWO SHEETS OF PHOTOCOPIED IDENTIFICATION MEDIA WILL BE FORWARDED TO HQ JCRC AND COPIES TO DIA/PW-MIA. A COPY OF THIS REPORT WAS PASSED TO STONY BEACH.

ADMIN
BT

#2830

NNNN

Exh. b = 7.

PAGE:0006

Live Sighting
Louangnamtha

ENVELOPE

CDSN = CFS351 MCN = 94306/40104 TOR = 943062038
PATCZYUW RUEKJCS3392 3061909- --RUEANSS.

HEADER

P 021909Z NOV 94
FM JOINT STAFF WASHINGTON DC
INFO RUEALGX/SAFE
P 020828Z NOV 94
FM AMEMBASSY VIENTIANE
TO RUEHC/SECSTATE WASHDC PRIORITY 8411
RUHQHQE/CDR JTF-FA HONOLULU HI
INFO RUEKJCS/SECDEF WASHDC//USDP:RSA// PRIORITY
RUEHBK/USDAO BANGKOK TH//POW-MIA//
RUHVAAA/CDR USACILHI HICKAM AFB HI//TAPC/PED/H//
RUEHBK/CJTFFA DET ONE BANGKOK TH
RUHQHQE/USCINCPAC HONOLULU HI//J2/J3/J30M//
RUEKJCS/USCINCPAC LO WASHDC
RHEHNSC/NSC WASHDC
RUEKJCS/DIA WASHDC
RUEKJCS/JOINT STAFF WASHDC//J5//
RUEHPF/CJTFFA DET FOUR PHNOM PENH CR
BT
CONTROLS

VIENTIANE 002479

STATE FOR CA/OCS/CCS AND EAP/VLC

E.O. 12356:

BODY

TAGS: KPOW, MOPS, LA
SUBJ: CJTFFA RPT 94-019, HEARSAY OF LIVE AMERICAN LIVING
IN LOUANGNAMTHA PROVINCE, LAOS

FROM CJTFFA DET THREE, VIENTIANE

1. SOURCE/ADMINISTRATIVE DATA:
 - A. NAME: SC
 - B. ADDRESS: SD
 - C. PROFESSION: SD
 - D. LANGUAGES: LAO
 - E. STATUS: LAO CITIZEN
 - F. DATE OF INFORMATION: 1994
 - G. INTERVIEWED AT U.S. EMBASSY SD BY W.R. GADOURY, GS-13, CASUALTY RESOLUTION SPECIALIST, DOD.

2. SUMMARY: ON 1 NOV, SC INFORMED
DET THREE THAT A FRIEND WHO IS A LAO GOVERNMENT EMPLOYEE
IN LOUANGNAMTHA PROVINCE WROTE TO HIM TO DETERMINE IF THE
EMBASSY WAS INTERESTED IN AN AMERICAN "FROM THE VIETNAM
WAR" WHO IS LIVING IN THE PROVINCE. END SUMMARY.

OASD DPMO	
DATE RCD: 3 Nov 94	
ACTION OFFICER: R	
DISTR	ACT/INFO
DIRECTOR	
DEPUTY DIR.	
(SUPT)	
(POL/PLN)	
(RES/ANAL)	
(EXT REL)	
(REF/DOC)	✓
RA-CO	
Coughlin 3 Analysts	
SC: FF	

Tech-Source File

3. INFORMATION: ON 1 NOV 94, CRS WAS APPROACHED BY SOURCE WHO INFORMED CRS THAT HE HAD RECENTLY RECEIVED A LETTER FROM A CLOSE FRIEND. SSC
 "SO HE EXPLAINED THAT SSC WROTE TO ASK FOR HIS ADVISE CONCERNING AN AMERICAN WHO IS LIVING IN LOUANGNAMTHA PROVINCE WITH A LAO WIFE AND TWO CHILDREN. IN HIS LETTER, HE ASKED SOURCE TO ASSIST MAKING CHECKING TO DETERMINE IF THE U.S. EMBASSY WAS INTERESTED. SOURCE ALSO STATED THAT SSC ALLUDED TO IDENTIFICATION INFORMATION WHICH HE COULD FORWARD, IF NECESSARY, BUT HE WOULD WAIT FOR SOURCE'S RESPONSE FIRST. ASKED IF THE AMERICAN WAS A RECENT OR LONG TERM RESIDENT, SOURCE STATED THAT SSC INDICATED THAT HE WAS THERE SINCE THE WAR. CRS ASKED SOURCE IF HE KNEW WHERE IN LOUANGNAMTHA THE AMERICAN LIVED. SOURCE RESPONDED THAT SSC DID NOT STATE. CRS ASKED HOW SOURCE KNEW SSC HE RESPONDED THAT HE HAS BEEN CLOSE FRIENDS WITH SSC SINCE THEY WENT TO SCHOOL TOGETHER, AND HAVE BEEN MAINTAINED CONTACT SINCE. HE SAID SSC IS CURRENTLY EMPLOYED AT THE LOUANGNAMTHA PROVINCIAL PROPERTY TAX OFFICE. ASKED FOR HIS PERSONAL EVALUATION OF SSC SOURCE STATED THAT IN HIS OPINION, HE IS A VERY HONEST MAN.

4. COMMENT: SOURCE IS A LONG-TIME AND TRUSTED EMPLOYEE OF THE EMBASSY. CRS REQUESTED THAT SOURCE TO BRING IN A COPY OF THE LETTER HE RECEIVED FROM SSC HE AGREED TO BRING IN IT IF HE COULD LOCATE IT. IF MADE AVAILABLE, A TRANSLATION OF THE LETTER WILL BE FORWARDED SEPARATELY. TOMSETH

ADMIN

BT

#3392

NNNN

Exhibit 7A

ENVELOPE

CDSN = CFS734 MCN = 95181/05867 TOR = 951810401
 RTTCZYUW RUEKJCS0302 1R10325 -RUEANSS.

ZNY

HEADER

R 300325Z JUN 95

FM DIA WASHINGTON DC

INFO RUEAHQA/CSAF WASHINGTON DC

RUEOFAA/COMJSOC FT BRAGG NC//J2//

RUEALGX/SAFE

R 300303Z JUN 95

FM USDAO BANGKOK TH

TO RUEKJCS/DIA WASHINGTON DC

RUEKJCS/SECDEF WASHINGTON DC//USDP:ISA/DPNO//

INFO RUEHPE/AMEMBASSY PHNOM PENH//JTFFA DET 4//

RUHPHQA/CDR JTF-FA HONOLULU HI

RUEAIIA/CIA WASHDC

RUHVAAA/CDRUSACILHI HICKAM AFB HI//TAPC-PED-H//

RHHMUNA/USCINCPAC HONOLULU HI//J2/J233/J3/J36//

RUEHVN/AMEMBASSY VIENTIANE//JTFFA DET 3//

RUEHC/SECSTATE WASHDC//EAP/VLC/DAS//

RHEHAAA/WHITEHOUSE WASHDC//NSC//

RHHMCMY/JICPAC HONOLULU HI//OTC/ORU//

BT

CONTROLS

SECTION 01 OF 02 BANGKOK TH

PAGE:0015

Live Sighting
 Among Leader
 holding
 Frank A. Gould

Date Received 11 Jun 95	
Watch Officer R	
Distro	Act / Info
Director	_____
Deputy Dir	_____
Chief of Staff	_____
Exec Asst	_____
Gen Counsel	_____
Pol/Plns	_____
Res/Analyst	_____
Jt Comm Spt	_____
Ref/DOC	_____
Ext Affairs	_____
Resource Mgmt	_____
RA-CO	_____
Collection	_____
Tech-Sensor File	_____
SC	

Gould, F.
 Rosen - Eval

1959

THIS IS A STONY BEACH MESSAGE

SERIAL: IIR 6 024 0091 95.

/***** THIS IS A COMBINED MESSAGE *****/

BODY

COUNTRY: LAOS (LA).

SUBJ: IIR 6 024 0091 95/HEARSAY LIVE SIGHTING REPORT
 REINTERVIEW

DEPARTMENT OF DEFENSE

DOI: 910000.

REQS: D-VOP-2410-03-90.

PAGE:0016

SOURCE: SC 64 YOA THAI
 BUSINESSMAN WHO OBTAINED THIS INFORMATION FROM A THAI
 ASSOCIATE IN 1991. SOURCE RELIABILITY HAS NOT BEEN
 ESTABLISHED.

SUMMARY: THIS IS A STONY BEACH REPORT. IT
 CONTAINS THE RESULTS OF A REINTERVIEW CONDUCTED IN
 RESPONSE TO COLLECTION EMPHASIS, CITE 41374,
 DTG 091940Z JUN 95, AND CONSISTS OF INFORMATION OF A
LIVE AMERICAN HELD BY A HMONG GROUP IN LAOS.

TEXT:

1. SOURCE HAS NEVER OBSERVED ANY AMERICANS OR
OTHER INDIVIDUALS THAT COULD HAVE BEEN MISTAKEN FOR
AMERICAN PRISONERS.

2. SOURCE CONTACTED JCRC-LNO IN BANGKOK IN
 DECEMBER 1990 AND PROVIDED A BONE FRAGMENT OBTAINED
FROM A THAI ASSOCIATE BY THE NAME OF SC LNU
 WHO WORKED AT SSD
SUBSEQUENT TO THAT MEETING SOURCE MET ONCE AGAIN WITH
SSC WHO PROVIDED SOURCE WITH IDENTIFICATION
INFORMATION ASSOCIATED WITH MAJOR FRANK GOULD. SOURCE
 CONTACTED THE STONY BEACH OFFICE AND PROVIDED THAT
 INFORMATION IN EARLY 1991. THERE WAS NO SPECIFIED NOR
IMPLIED CONNECTION BETWEEN THE BONE FRAGMENT AND MAJOR
GOULD. THESE WERE TWO SEPARATE AND DISTINCT PIECES OF
 INFORMATION. SC TOLD SOURCE THAT MAJOR GOULD WAS
BEING HELD BY A HMONG GROUP IN LAOS. THE LEADER OF
THAT GROUP WANTED AN UNSPECIFIED AMOUNT OF MONEY TO
RELEASE MAJOR GOULD. SC DID NOT SAY WHO THE HMONG
 LEADER WAS, NOR WHERE MAJOR GOULD WAS BEING HELD.
 SOURCE DOES NOT RECALL IF SC CLAIMED TO HAVE THAT
 INFORMATION, BUT DOES REMEMBER NOT ASKING FOR THE
 INFORMATION, AND, AT THE TIME, DID NOT WANT TO KNOW
 ANY SPECIFICS FOR FEAR OF POSSIBLE REPERCUSSIONS TO
 HIM AND HIS FAMILY BY ANY GROUP ASSOCIATED WITH
 HOLDING AMERICAN PRISONERS.

- DOES NOT
 CORRELATE
 TO GOULD

ALIVE

3. SOURCE CAME INTO CONTACT WITH SC THROUGH
 AN INTRODUCTION MADE BY SOURCE'S COUSIN (SEE BIO) WHO
 TEACHES SCHOOL IN CHIANG RAJ. THE COUSIN KNEW THAT
 SOURCE HAD PREVIOUSLY WORKED WITH USG OFFICIALS IN
 BANGKOK AND THEREFORE MIGHT BE ABLE TO ASSIST SC
 IN GETTING THE INFORMATION TO USG OFFICIALS. SOURCE
 HAS NOT HAD ANY CONTACT WITH SC SINCE THEIR
 MEETING IN EARLY 1991, AND DOES NOT KNOW IF SC IS
 STILL EMPLOYED AT THE SSD SOURCE

HAS NOT HAD CONTACT WITH HIS COUSIN IN OVER TWO YEARS, AND IN CONVERSATIONS WITH HIS COUSIN SUBSEQUENT TO SOURCE'S MEETING WITH SSC THE SUBJECT OF AMERICAN PWS WAS NEVER RAISED. SOURCE HAS RECEIVED NO NEW INFORMATION REGARDING MAJOR COULD OR OTHER MISSING US PERSONNEL.

COMMENTS:

1. FIELD COMMENTS. SOURCE WAS NOTIFIED OF NEXT-OF-KIN POSSIBLE DESIRE TO PUT QUESTIONS TO HIM RELAYED THROUGH RO. SOURCE IS WILLING TO ANSWER ANY SUCH QUESTIONS. ✓

2. SOURCE DENIES EVER HAVING MADE A REQUEST FOR REMUNERATION IN ANY FORM FOR PROVIDING ADDITIONAL INFORMATION.

3. () SOURCE ASSUMED, THOUGH HE ADMITS IT WAS NEVER SPECIFIED, THAT USG OFFICIALS WERE GOING TO CONTACT SSC DIRECTLY REGARDING MAJOR COULD. AN ATTEMPT IS CURRENTLY BEING MADE TO LOCATE SSC. ✓

4. SOURCE WAS COOPERATIVE AND ADAMANT ABOUT WANTING TO ASSIST IN THIS MATTER IF POSSIBLE WITHOUT ANY FORM OF COMPENSATION.

//IPSP: PG 2430//.

//COMSOBJ: 521//.

ADMIN

PROJ: 6999-10.

INSTR: US NO.

PREP: 6-02179.

ACQ: US EMBASSY, BANGKOK (950623).

DISSEM: FIELD: EMBASSY AT BANGKOK.

WARNING:

#0303

NNNN

Exhibit 7B.

HAVE (FYI)

Soutchay

REPORT OF INTERVIEW

NAME: SC

DATE OF INTERVIEW: 19 MAY 1995

ADDRESS:

DPOB:

MARITAL STATUS: DIVORCEE WITH TWO CHILDREN.

DATE ARRIVED IN THE UNITED STATES: SD

PREVIOUS OCCUPATION/MILITARY EXPERIENCE:

PRE-1975 STUDENT AT MUANG HOUAY SAI.

SUMMARY OF POW INFORMATION:

SOURCE REPORTED THAT HE WENT TO VISIT LAOS TWICE SINCE HE ARRIVED IN THE UNITED STATES, THE FIRST TIME FROM 13 AUGUST 1994 TO 3 SEPTEMBER 1994, AND THE SECOND TIME FROM 2 MARCH 1995 TO 2 APRIL 1995, FURTHERMORE HE PLANS TO GO BACK LAOS IN 1997 TO GET MARRY WITH HIS FIANCEE WAITING FOR THE NECESSARY PAPERS.

WHILE WAITING AT THE LOUANGNAMTHA'S AIRPORT TO COME BACK TO VIENTIANE, SOURCE WAS APPROACHED BY A VILLAGER ABOUT 60 YOA (NFI) WHO PROVIDED THE INFORMATION OF AN AMERICAN POW WHO IS LIVING IN LOUANGNAMTHA PROVINCE WITH A LAO WIFE AND TWO CHILDREN. FIRST OF ALL SOURCE WAS SCARED TO DISCUSS ABOUT THIS STORY WITH THIS OLD MAN, SUBSEQUENTLY HE (VILLAGER) ALSO PROVIDED A COPY OF A PHOTOCOPIED SHEET WHICH HE STATED AN IDENTIFICATION CARD INFORMATION OF THE AMERICAN LIVING IN LOUANGNAMTHA.

SUBSEQUENTLY SOURCE ASKED HIM (VILLAGER) WHERE IS THE LOCATION OF THE AMERICAN POW AND HIS WIFE WITH TWO CHILDREN IN LOUANGNAMTHA ? HE STATED THAT IF WE WOULD LIKE TO GET HIM WE HAVE TO PAY A LOT OF MONEY IN ORDER TO BRING HIM OUT AND WE HAVE TO GO THROUGH SEVERAL PEOPLES, SOURCE UNDERSTOOD THAT HE NEEDED MONEY FOR REWARD.

ARRIVING IN VIENTIANE SOURCE SUPPOSED TO GIVE THIS SHEET OF PAPER TO HIS BROTHER SD WHO WORKED SD BUT SD WAS NOT HOME DURING THAT TIME AND HE (SOURCE) HAS GIVEN THIS SHEET OF PAPER TO HIS BROTHER'S WIFE BECAUSE SOURCE WAS IN A HURRY TO CROSS TO THAILAND.

SOURCE STATED THAT HE DID NOT BRING ANY LETTER OF HIS BROTHER TO THE UNITED STATES AND HIS COUSIN IN LOUANGNAMTHA SD DID NOT ANYTHING ABOUT THIS STORY OF POW. SOURCE SAID THAT MRS MARY IN CALIFORNIA CALLED HIM ONCE AND ASKING ABOUT HER HUSBAND WHO WAS A POW IN LOUANGNAMTHA PROVINCE, LAOS.

SOUTCHAY VONGSAVANH

Line Sighting
Louangnamtha
Interview
conducted of
2nd sub source
7 months
later

AMEMBASSY VIEN CJTFFA RPT 94-019, HEARSAY OF LIVE AMERICAN LIVING

DTG: 020828Z NOV 94 Class: Prec: P Source: GENSER
 From: AMEMBASSY VIENTIANE
 Subj: CJTFFA RPT 94-019, HEARSAY OF LIVE AMERICAN LIVING

PTACZYUW RUMTFSA2479 3060828- -RUHQHQB.
 ZNY ZZH
 P 020828Z NOV 94 PSN 199770F33
 .FM AMEMBASSY VIENTIANE
 .TO RUEHC/SECSTATE WASHDC PRIORITY 8411
 .RUHQHQB/CDR JTF-FA HONOLULU HI
 .INFO RUEKJCS/SECDEF WASHDC//USDP:RSA// PRIORITY
 .RUEHBK/USDAO BANGKOK TH//POW-MIA//
 .RUHVAAA/CDR USAFILHI HICKAM AFB HI//TAPC/PED/H//
 .RUEHBK/CJTFFA DET ONE BANGKOK TH
 .RUHQHQB/USCINCPAC HONOLULU HI//J2/J3/J30M//
 .RUEKJCS/USCINCPAC LO WASHDC
 .RHEHNSC/NSC WASHDC
 .RUEKJCS/DIA WASHDC
 .RUEKJCS/JOINT STAFF WASHDC//J5//
 .RUEHPF/CJTFFA DET FOUR PHNOM PENH CB
 .BT

VIENTIANE 002479
 STATE FOR CA/OCS/CCS AND EAP/VLC
 E.O. 12356:

TAGS: KPOW, MOPS, LA
 SUBJ: CJTFFA RPT 94-019, HEARSAY OF LIVE AMERICAN LIVING
 IN LOUANGNAMTHA PROVINCE, LAOS
 FROM CJTFFA DET THREE, VIENTIANE

1. SOURCE/ADMINISTRATIVE DATA:

- A. NAME: SC
 - B. ADDRESS: SD
 - C. PROFESSION:
 - D. LANGUAGES: LAO
 - E. STATUS: LAO CITIZEN
 - F. DATE OF INFORMATION: 1994
 - G. INTERVIEWED AT U.S. EMBASSY ON 1 NOV 94 BY W.R. GADOURY, GS-13, CASUALTY RESOLUTION SPECIALIST, DOD.
2. SUMMARY: ON 1 NOV, A U.S. EMBASSY GUARD INFORMED DET THREE THAT A FRIEND WHO IS A LAO GOVERNMENT EMPLOYEE IN LOUANGNAMTHA PROVINCE WROTE TO HIM TO DETERMINE IF THE EMBASSY WAS INTERESTED IN AN AMERICAN "FROM THE VIETNAM WAR" WHO IS LIVING IN THE PROVINCE. END SUMMARY.

- 3. INFORMATION: ON 1 NOV 94, CRS WAS APPROACHED BY SOURCE WHO INFORMED CRS THAT HE HAD RECENTLY RECEIVED A LETTER FROM A CLOSE FRIEND, SSC 40
 YOA. HE EXPLAINED THAT SSC WROTE TO ASK FOR HIS ADVISE CONCERNING AN AMERICAN WHO IS LIVING IN LOUANGNAMTHA PROVINCE WITH A LAO WIFE AND TWO CHILDREN.

2
v. 171

IN HIS LETTER, HE ASKED SOURCE TO ASSIST MAKING CHECKING TO DETERMINE IF THE U.S. EMBASSY WAS INTERESTED. SOURCE ALSO STATED THAT SSC ALLUDED TO IDENTIFICATION INFORMATION WHICH HE COULD FORWARD, IF NECESSARY, BUT HE WOULD WAIT FOR SOURCE'S RESPONSE FIRST. ASKED IF THE AMERICAN WAS A RECENT OR LONG TERM RESIDENT, SOURCE STATED THAT SSC INDICATED THAT HE WAS THERE SINCE THE WAR. CRS ASKED SOURCE IF HE KNEW WHERE IN LOUANGNAMTHA THE AMERICAN LIVED. SOURCE RESPONDED THAT SSC DID NOT STATE. CRS ASKED HOW SOURCE KNEW SSC HE RESPONDED THAT HE HAS BEEN CLOSE FRIENDS WITH SSC SINCE THEY WENT TO SCHOOL TOGETHER, AND HAVE BEEN MAINTAINED CONTACT SINCE. HE SAID SSC IS CURRENTLY EMPLOYED AT THE

ASKED FOR
HIS PERSONAL EVALUATION OF SSC SOURCE STATED THAT IN HIS OPINION, HE IS A VERY HONEST MAN.

4. COMMENT: SOURCE IS A LONG-TIME AND TRUSTED EMPLOYEE OF SD CRS REQUESTED THAT SOURCE TO

? BRING IN A COPY OF THE LETTER HE RECEIVED FROM SSC
HE AGREED TO BRING IN IT IF HE COULD LOCATE IT. IF MADE AVAILABLE, A TRANSLATION OF THE LETTER WILL BE FORWARDED SEPARATELY. TOMSETH

BT

#2479

USG DOCS STATE
EMBASSY EMPLOYEE
PROVIDED HTR
FROM CONTACT IN LOUANG
NAMTHA

AMEMBASSY VIEN CJTFFA RPT 94-019A, ADDITIONAL INFORMATION ON

DTG: 091003Z NOV 94 Class: Prec: P Source: GENSER
 From: AMEMBASSY VIENTIANE
 Subj: CJTFFA RPT 94-019A, ADDITIONAL INFORMATION ON

PTACZYUW RUMTFSA2540 3131003- -RUHQHQB.
 ZNY ZZH
 P 091003Z NOV 94 PSN 254445F24
 .FM AMEMBASSY VIENTIANE
 .TO RUEHC/SECSTATE WASHDC PRIORITY 8464
 .RUHQHQB/CDR JTF-FA HONOLULU HI
 .INFO RUEKJCS/SECDEF WASHDC//USDP:RSA// PRIORITY
 .RHEHNSC/NSC WASHDC
 .RUHVAAA/CDR USAFILHI HICKAM AFB HI//TAPC/PED/H//
 .RUEKJCS/DIA WASHDC
 .RUHQHQB/USCINCPAC HONOLULU HI//J2/J3/J30M//
 .RUEKJCS/JOINT STAFF WASHDC//J5//
 .RUEHBK/USDAO BANGKOK TH//POW-MIA//
 .RUEKJCS/USCINCPAC LO WASHDC
 .RUEHBK/CJTFFA DET ONE BANGKOK TH
 .RUEHPF/CJTFFA DET FOUR PHNOM PENH CB
 .BT

VIENTIANE 002540

STATE FOR CA/OCS/CCS AND EAP/VLC

E.O. 12356:

TAGS: KPOW, MOPS, LA

SUBJ: CJTFFA RPT 94-019A, ADDITIONAL INFORMATION ON

HEARSAY OF AMERICAN LIVING IN LAOS

FROM CJTFFA DET THREE, VIENTIANE

REF: A. AMEMB VTNE 02479/DET THREE 020828ZNOV94; 94-019

- B. CDR JTF-FA 071353Z SEP 94

- C. JCRC LIAISON BANGKOK 020928Z APR 90

1. REF A WAS A HEARSAY REPORT OF AN AMERICAN LIVING IN LOUANGNAMTHA PROVINCE. REF B WAS THE DETAILED REPORT OF INVESTIGATION OF CASE 1959. REF C REPORTED INFORMATION FROM A SOURCE WHO TURNED-IN IDENTIFICATION INFORMATION ON THE INDIVIDUAL ASSOCIATED WITH CASE 1959-1-01.

2. IN REF A, SOURCE PROVIDED INFORMATION CONCERNING HEARSAY OF AN AMERICAN "FROM THE VIETNAM WAR" LIVING IN LOUANGNAMTHA PROVINCE WITH A WITH A LAO WIFE AND TWO CHILDREN. THE INFORMATION WAS RECEIVED BY SOURCE IN A LETTER HE RECEIVED FROM A FRIEND WHO WAS A LOUANGNAMTHA PROVINCIAL TAX OFFICE EMPLOYEE. WHEN ASKED TO PROVIDE A COPY OF THE LETTER FOR ANALYSIS, HE RESPONDED THAT HE WOULD LOOK FOR IT AND PROVIDE IT IF HE COULD FIND IT.

3. ON 8 NOV, SOURCE OF REF INFORMED DET THREE THAT THE LETTER WAS TAKEN BY HIS BROTHER, SD, WHO RECENTLY VISITED WITH HIM AND HAS SINCE RETURNED TO HIS HOME IN THE U.S. IN EARLY NOV 94. SOURCE STATED THAT

TRAVELED TO LOUANGNAMTHA TO VISIT RELATIVES DURING

HIS RECENT VACATION TO LAOS AND MAY HAVE ALSO TALKED DIRECTLY WITH SS THE AUTHOR OF THE LETTER. SOURCE DID NOT KNOW WHY SD TOOK THE LETTER TO THE U.S., BUT SPECULATED THAT HE MAY BE PLANNING TO REPORT THE INFORMATION TO U.S. AUTHORITIES THERE. HE SUGGESTED THAT SD BE CONTACTED AT HIS U.S. ADDRESS FOR FURTHER DETAILS: SD

4. SOURCE ALSO PROVIDED A COPY OF A PHOTOCOPIED SHEET WHICH HE STATED WAS INCLUDED WITH THE ORIGINAL LETTER HE RECEIVED FROM SSC HE STATED THAT THE INFORMATION CONTAINED ON THE PHOTOCOPY WAS RELATED TO THE AMERICAN LIVING IN LOUANGNAMTHA. INFORMATION INCLUDED ON THE TWO SHEETS INCLUDES THE FOLLOWING:

- (HAND COPIED IDENTIFICATION CARD INFORMATION. NOTE: IT APPEARS THAT PERSON WHO COPIED THE INFORMATION WAS NOT LITERATE IN THE ENGLISH LANGUAGE AND WAS SIMPLY TRYING TO COPY THE SHAPES OF THE LETTERS, WITH LIMITED SUCCESS. END NOTE):

DATEOFRIRS:22 FHAY 33, WEIGHT 180, HEIGHT 5 11
 COLORHRIR: ISROWN, COLOR EYES:RLVE, RLOOPTYPE APOS
 RICHATLRELCFISSUINGOFFIOER
 (ILLEGIBLE, PROBABLE ATTEMPT TO REPLICATE SIGNATURE)
 DATE OF ISSUE 30 SEP 66, WANINE
 ISSLER FOR OFFIUAL HILGEROF SIGNATLO
 HEREUN USE UCPSSSFSSLNEXCFPTAS
 PRESERNEDISVNLAREIGNWDWILL
 MAKE THE UFFNOFRNAALETU
 HERVYNENALTY:ISVS
 47, CRLO NUMBER: 6554508

- (SECOND PAGE):

- (SKETCH OF PROBABLE SAINT CHRISTOPHER'S MEDAL):

CHRIST DIED FORTTBPE

- (SKETCH OF OVAL OBJECT):

FSN116W,4405553, THE KENIR22 TIRE

- (PROBABLE DOG TAG):

GCVLD FRANK A, 101242560, APOSE, NO:REF

- (PROBABLE U.S. DIME):

LIRERTY IN CCD IWETRUS1967,UNITSTRTES.ANFRICA.ONEDIML

5. COMMENT: THE NAME AND OTHER ITEMS LISTED ON THE PHOTOCOPIED SHEET IS SIMILAR TO ITEMS TURNED-IN TO JCRC IN 1990 (REF C). THE SOURCE OF THIS REPORT, IDENTIFIED IN REF A, INDICATED THAT HE WANTED TO BE HELPFUL, BUT IS APPARENTLY ONLY INVOLVED PERIPHERALLY. TOMSETH

BT

#2540

Gould,
 See case # 11517
 (attached)

Date Printed: 01/21/95

Produced by user: DITRAJB

***** SOURCE DATA SHEET *****

Source Name: SCCase No: SD

Aka:

Confidential:

Boat Number:

Contacted:

Cntry Located: TH

Source DOB:

Cntry Reported: LA

Type Sighting: GRV-HSY (DOGTAG)

1st Sighting UTM: UG934821 LAT: 194400N LONG: 1035900E

- Subsources -	----- Actions -----
Subsources 1: <u>FRANK ALTON</u>	1: 900402 JCRCL 90-165 MSG
2: <u>GOULD (XX)</u>	2: 900402 JCRCL DTG 020928Z
3: <u>XIANGKHOUANG</u>	3: 900412 CJCRC EVAL 122301Z
4: PROV	4: 900509 JCRCJ 90-165A MSG
5: XREF	5: 900509 JCRCL DTG 091032Z
6: <u>SC</u>	6: 900403 JCRCL ENCLS
7: (LNL)	7:
8: XREF # (11586)	8:
9:	9:
10:	
11:	
12:	

Current Action:

Analyst: AN

Remarks: RMS+DT/F A GOULD (XX)

Date Received: 900402

Date of Info:

State/City:

Address: SD

Origin Code: B

Category: 1A

Polygraph Category:

Polygraph Results:

* _____ END OF RECORD _____ *

***** C O N F I D E N T I A L *****

REPORT OF INTERVIEW

NAME: SC

Date of Interview: 19 May 1995

BROTHER - LIVING IN CONNOR

Address: SD

DPOB: SD

Marital Status: Divorcee with two children

Date arrived in U.S.: 09/16/76

Previous Occupation/Military Experience: pre 1975, student, Muang Houay Sai

Summary of Information: SC reports that he has returned to Laos on two occasions since he arrived in the U.S., 13 Aug 94 - 3 Sept 94, and 2 Mar 95 - 2 Apr 95. He plans to return in 1997 to get married.

During his last trip to Laos, and while waiting at the Louangnamtha airport, SC was approached by a villager about 60 years of age; the individual told SC about an American POW who is living freely in Louangnamtha Province with a Lao wife and two children. SC was afraid to discuss the matter with the villager, however, the villager provided a photocopy of information which he stated came from the identification card of the Americans reported to be living in Louangnamtha.

SC asked the villager where in Louangnamtha the American was living with his wife and children, and the villager stated that it would cost a lot of money to get him out, that there were several people involved, and he (the villager) wanted part of the reward.

When he arrived in Vientiane, SC intended to leave the photocopied information with his brother, who works SD, however, his brother was not available.

SC then provided the sheet of paper to his brother's wife since he was in a hurry to leave.

SC claims that he did not bring any letter from his brother or his cousin SD in Louangnamtha. As a matter of fact, SD never said anything to SC about any American living or being held in Louangnamtha.

SC stated that he has been contacted by "Mrs. Mary" from California; she called him once to ask about her husband who was a POW in Louangnamtha Province, Laos.

MARY GOULD
 BEGINNING OF APR 95
 MARY GOULD LEFT MESSAGES FOR HIM
 MID-APRIL - HE CALLED HER.

Exhibit 7C.

Statement
by Govt
letter from
source seen &
Not Retained
BY USA

RAC: JOW RUMPS663229 1051410-UUUU--RUMPS663229
CNR UUUUU

R-1414122 JUN 95 1100Z

FM JTF-FA HONOLULU HI//J//

TO: RUMPS663229 RUMPS663229, AFS, DEPEND.

INFO: RUMPS663229 SECDEF WASHINGTON DC//USDP//DA//

THRU: RUMPS663229 HONOLULU HI//J//

RE: DIA/DIA WASHINGTON DC

(U)

UNCLAS 1100340000

MSGID: GENADMIN/CNR JTF-FA//J//

SUBJ: RESPONSE TO REQUEST FOR INFORMATION #REFNO 14577

REF: A/DUCAMPC DPWCM DEPEND.

RMK: IN RESPONSE TO REF A, THE FOLLOWING INFORMATION IS PROVIDED FOR RELEASE TO THE NEXT OFFICE OF FRANK A. GOULD (REFNO 1552-1-01).

IN REFERENCE RUMPS663229 3RD OF 17 DEC 94, ALL INFORMATION PERTAINING TO IDENTIFICATION MEDIA WAS WRITTEN IN ENGLISH AND WAS REPORTED EXACTLY AS IT WAS RECEIVED IN THE ORIGINAL LETTER. AS THE INTERVIEWER RECALLS, THE INFORMATION WAS HAND-COPIED, PROBABLY FROM ANOTHER DOCUMENT OR DOCUMENTS. IT APPEARED THAT THE PERSON WHO WRITED IT WAS NOT LITERATE IN ENGLISH, BUT WAS SIMPLY ATTEMPTING TO

FILE NO. RUMPS663229 UNCLAS

THE SHAPES OF THE ENGLISH LANGUAGE LETTERS (LETTERS WERE TYPICAL, HOWEVER, "U" SOUNDED LIKE "V", "V" LIKE "U", ETC.)

3. THE ORIGINAL LETTER PROVIDED BY THE SOURCE WAS NOT RETAINED AFTER

THE 194-194 REPORT WAS COMPLETED BY THE JTF-FA DETACHMENT IN LAOS.

JTF-FA HEADQUARTERS ONLY RECEIVED THE 194-194 REPORT AND THERE IS NO LETTER TO PROVIDE TO THE NEXT OF KIN.

AMEMBASSY
VIETNAM

#0208282
NOV 94

CJTFFA RPT 94-019
STATES "EMPLOYEE PROVIDED
LETTER FROM CONTACT IN HOANG NAMTHA"

2 in 7 d

Page 1 - from
undated Summary - message
about Front Page of
Summary next page

AMEMBASSY VIENTIANE MSG 020828Z NOV 94, CJTFFA RPT 94-019, HEARSAY OF LIVE AMERICAN LIVING IN LOUANGNAMTHA (P). EMBASSY EMPLOYEE PROVIDED LTR FROM CONTACT IN LOUANGNAMTHA (P) WHO CLAIMS TO HAVE INFO ON AN AMERICAN FROM THE VIETNAM WAR LIVING IN THE PROVINCE WITH A LAO WIFE AND TWO CHILDREN. ID DATA WAS ALLUDED TO, BUT NOT PROVIDED IN LTR. ANALYST NOTE: COLLECTION ACTION TAKEN TO REINTERVIEW EMBASSY EMPLOYEE (071700Z JUN 95).

Summary
states
messaging
letter
was
Rec'd by
U.S.G.

AMEMBASSY VIENTIANE MSG 091003Z NOV 94, CJTFFA RPT 94-019A, ADDITIONAL INFO ON HEARSAY OF AMERICAN LIVING IN LAOS. LTR ADDRESSED IN PREVIOUS REPORT REPORTEDLY TAKEN CONUS BY SOURCE'S BROTHER. SPECULATES THAT HIS BROTHER MAY HAVE SPOKEN TO THE LOUANGNAMTHA CONTACT; PROVIDED AN ADDRESS IN CONUS TO PEACH BROTHER. PROVIDED A PHOTOSTATIC COPY OF A SHEET WITH ID DATA ON GOULD WHICH HAD BEEN PART OF THE LETTER. THE ID DATA REPORTEDLY WAS ASSOC WITH THE AMERICAN RESIDING IN LOUANGNAMTHA.

PNOK LETTER TO THE PRESIDENT DTD 10 NOV 94. OUTLINES CONCERNS WITH DPMO RESPONSE TO HER PREVIOUS LETTER OF 18 FEB 94. FORWARDED TO DPMO FOR RESPONSE.

CDR JTF-FA HONOLULU MSG 180902Z NOV 94, EVAL OF JTF-FA PPT 94-019A. CORRELATES PPT TO GOULD.

JTF-FA LTR J24/1771/303 DTD 7 DEC 94, CJTFFA REPORTS 94-019 AND 94-019A ASSOC WITH REFNO 1959. FORWARDS SANITIZED SOURCE REPORTS TO AIR FORCE MPC FOR RELEASE TO PNOK.

DPMO ANALYST MEMO FOR DTD 9 DEC 94, BACKGROUND INFO FOR USDP TASKER 94/37830 AND DPMO TASKER 44062. PROVIDES BACKGROUND INFO FROM WHICH DPMO-EA CAN DRAFT A RESPONSE TO PNOK CONCERNS.

DPMO ANALYST MEMO DTD 13 DEC 94. SUMMARIZES GOULD REPORTING SINCE FEB 90.

DPMO ANALYST E-MAIL NOTE TO DPMO-EA OF 13 DEC 94. FORWARDS SOFTCOPY MEMO WHICH SUMMARIZES GOULD REPORTING. OUTLINES PRIORITIES: 1) LOCATE AND SURVEY CRASHSITE, 2) ATTEMPT TO LOCATE SC AGAIN (UNDERSTANDING REPORTED DECEASED), AND ATTEMPT TO LOCATE SC (PER MS. GOULD'S REQ).

DPMO LTR TO USDP DTD 22 DEC 94, CASE OF FRANK GOULD. SUMMARIZES REPORTING ON GOULD CASE AND PROVIDES RECOMMENDATIONS RELATIVE ACTIONS TO BE TAKEN: 1) LOCATE CRASHSITE, 2) ATTEMPT TO LOCATE SC 3) ATTEMPT TO LOCATE SC

PERFORM FURTHER FORENSIC ANALYSIS OF BONE FRAG, 5 INVESTIGATE NOT LAO-THAI BORDER CROSSING VIC BAN CHAM PONG AND MUANG MOM MARKET. GOULD CORRELATED TO

FROM DECLASSIFIED FILE REC'D RECENTLY

SUMMARY OF FACTS AND CIRCUMSTANCES

1. Colonel Frank A. Gould, 101-24-2560FR, radar navigator, and the following personnel comprised the crew of a B-52 aircraft:

Maj Deverl H. Johnson	Aircraft commander
Capt James T. Farmer	Copilot
Capt Vincent F. Russo	Navigator
Capt Paul J. Fairbanks	Electronic warfare officer
TSgt Walter R. Barclift	Gunner

2. The crew departed Andersen Air Force Base, Guam, at 2359, local Guam time, 20 December 1972, on a multi-aircraft bombing raid in the vicinity of Hanoi, North Vietnam. There were broken to overcast clouds with bases at 3,500 feet and tops at 8,000 feet, visibility was six miles with ground fog. The mission to the target progressed as planned and ordnance delivery was as programmed. At 0604, local Vietnam time, 21 December 1972, just after bomb release, as the aircraft was in the breakaway maneuver, a surface-to-air missile (SAM) detonated directly below the aircraft. Missile fragments struck the aircraft, wounding most of the crew members, cabin pressure and electrical power were lost and two engines were shut down, but the withdrawal continued. Colonel Gould reported his right arm and leg had been injured from shrapnel; however, the wounds did not appear severe, and he was able to administer first aid to himself and to continue his duties. Approximately 25 minutes after the aircraft was damaged the remaining engines started to lose power and the aircraft commander was having problems maintaining aircraft control. In preparation for ejection all survival equipment was checked for fragment damage, including the parachutes and ejection seats. The navigator reported that Colonel Gould's equipment was okay. At 0635, while the aircraft was at an altitude of about 20,000 feet over mountainous terrain just inside northern Laos, the aircraft commander ordered initiation of the ejection sequence. Because of Colonel Gould's position in the ejection sequence, he was not observed departing the aircraft. However, the navigator, who ejected immediately prior to Colonel Gould, stated that Colonel Gould was able to compute the true airspeed for him, using his computer, and he appeared to have his bleeding under control. The copilot, whose ejection sequence follows the radar navigator's position, stated that he heard Colonel Gould's ejection seat fire and the aircraft commander advised that he was the last member to

SPECIAL HANDLING
REQUIRED

Rec'd on 15 Oct 95
DPTO to: RA-CO
Tech. source Fils
Gould, F
EA - NOK

Exhibit 7e.

COPY NUMBER-----

ROUTINE

8 OCT 1995

FM DIA WASHINGTON DC

TO USDAO BANGKOK TH//PW-MIA//

INFO SECDEF WASHINGTON DC//USDP, OPMD//

USCINCPAC HONOLULU HI//J2/J32// CDR JTF-FA HONOLULU HI

ZYUW RUERDIA0889 1640218

DATA PREVIOUSLY TURNED IN, A REINTERVIEW OF SOURCE IS NEVERTHELESS,
WARRANTED.
3. REPTS

COMMUNICATIONS SECTION D1 OF D2
DELIVER TO FROM

CITE: #1374/

SUBJ:

REFS: A: INTELLIGENCE OBJECTIVE D-VOP-2430-03-90, SIGHTINGS OF AMERICANS.

B: JCRC-LNO LTR JCRC RPT 80-544, SUBJ: ALLEGED AMERICAN REMAINS TURNED IN JCRC DTD 4 DEC 90.

C: USDAO BANGKOK TH//PW-MIA// MSG 070256Z FEB 91.

D: USDAO BANGKOK TH//PW-MIA// MSG 110630Z FEB 91.

1. BACKGROUND CONTAINED HEREIN. ESTABLISHED BASED ON REFS AND

2. BACKGROUND:

A: SC
REFERRED TO AS SOURCE), CONTACTED JCRC REP DURING DEC 1990 (REF B) AND RELATED THAT WHILE IN CHIANG MAI ON BUSINESS, HE MET A FORMER RESIDENT OF LAOS WHOM HE IDENTIFIED AS SSC WAS EMPLOYED BY THE SD AT THE TIME. ACCORDING TO SOURCE, SC HAD MET A LAO ARMY MAJOR (NAME AND LOCATION/DATE OF MEETING NOT STATED) WHO GAVE HIM A FOUR INCH BONE FRAGMENT. THIS BONE FRAGMENT WAS REPORTEDLY FOUND IN THE WRECKAGE OF AN AMERICAN AIRCRAFT WHICH CRASHED AT AN UNSPECIFIED LOCATION IN XIANG KHOUANG PROVINCE, LAOS. THE REST OF THE REMAINS WERE KEPT BY THE LAO MAJOR. THE MAJOR WAS WILLING TO EXCHANGE THE REMAINS FOR RESETTLEMENT IN THE STATES, AND REQUESTED SSC VERIFY THE AUTHENTICITY OF THE SAMPLE FRAGMENT. SOURCE, WHO SPEAKS EXCELLENT ENGLISH, DID NOT SEEK ANY REMUNERATION AND STATED HE HAD NO INTEREST OTHER THAN TO ASSIST FOR HUMANITARIAN REASONS.

B: TWO MONTHS LATER, SAME SOURCE CONTACTED STONY BEACH REPS (REFS B AND C) IN THAILAND AND PROVIDED ID DATA ON AIR FORCE MAJOR FRANK A GOULD (REFNO 1959). SOURCE STATED THAT MAJOR GOULD WAS ALIVE AND WANTED TO RETURN HOME (NFI). ACCORDING TO SOURCE, HE OBTAINED THIS INFO FROM SOME UNIDENTIFIED LAO SUB-SOURCES WHO DEMANDED A REWARD BEFORE BEING INTERVIEWED. SOURCE ALSO ADMITTED HIS DESIRE TO OBTAIN A PERMANENT RESIDENT VISA TO THE U.S. IN EXCHANGE FOR ADDITIONAL INFO. (NOTE: ACTUAL DOCUMENTS AND ARTIFACTS FROM WHICH HAND-COPIED TO DATA, ETC., ORIGINATED AND WHICH WERE PROVIDED BY SOURCE, AND PREVIOUSLY BEEN TURNED IN TO U.S. REPRESENTATIVES DURING APR 1990). UPON LEARNING OF SOURCE'S REMUNERATION REQUIREMENTS, STONY BEACH REPS REITERATED THE NO REWARDS POLICY AND TERMINATED THE INTERVIEW.

C: UPON LEARNING OF SOURCE'S ARRIVAL IN CONUS, A DIA POW-MIA ANALYST CONTACTED HIM IN MID-1991 AT HIS SISTER'S HOME IN SD. THE PURPOSE OF THE INTERVIEW WAS TO OBTAIN MORE SPECIFICS RELATIVE TO EXACTLY WHERE MAJOR GOULD WAS BEING HELD/RESIDING IN LAOS. ALTHOUGH SOME INTERMEDIARIES SUGGESTED THAT SOURCE HAD ACTUALLY SEEN MAJOR GOULD, SOURCE CONFIRMED TO DIA ANALYST THAT HE HAD NOT PERSONALLY OBSERVED MAJ GOULD. SOURCE'S CONTACTS INFORMED HIM THAT MAJOR GOULD WAS BEING HELD BY HILL COUNTRY PEOPLE NEAR THE THAI/LAO BORDER IN THE CHIANG SAEN VICINITY. NORTHERN THAI/INDO CHINESE THE PRONG CHIEF WANTED MONEY TO HELP ARRANGE GOULD'S ESCAPE.

D: SINCE FEB 1990, OPMD HAS RECEIVED A NUMBER OF HEARSAY LIVE SIGHTING REPORTS, WHICH HAVE IN TURN, GENERATED EXTENSIVE INTEREST FROM MAJ GOULD'S WIFE AND A NUMBER OF HIGH LEVEL U.S. GOVERNMENT OFFICIALS. ALTHOUGH THE LIVE SIGHTING REPORTS PROVIDE ONLY LIMITED INFO AND APPEAR TO BE FALSE INFORMATION BASED ONLY ON ID

SECDEF V:

ACTION

INFO C-IPS-SPECIAL(1) SECDEF-C(1) USDP 800A(1)

DIA V:

ACTION DIA SPEC

VCN495164/01049

TOR49516- 02162

T40495164/03412 COSN=MAX668

PAGE 1 OF 2

Live Sighting
Among Leader
Wants money
for Frank
Gould

Don't have
the 1990 report
this report
refers to.

MT

NOT CORRELATING
TO GOULD

3. GUIDANCE:

RELEASE

C: RESPONSES SHOULD BE IN IIR FORMAT ADDRESSED TO SECDEF WASHINGTON DC//USDP:ISA/OPMD// AND DIA WASHINGTON DC WITH AN INFORMATION COPY TO CDR JTF-FA HONOLULU HI

D: ALL PW-MIA-RELATED REPORTS WHICH CORRELATE TO OR CONTAIN THE NAME OF AN AMERICAN MISSING OR UNACCOUNTED FOR ARE FORWARDED TO THE PARENT MILITARY SERVICE CASUALTY OFFICE OR TO DEPARTMENT OF STATE (DOS) FOR CIVILIANS. FOR FURTHER RELEASE TO THE PRIMARY NEXT-OF-KIN (NOK), THE OPMD IS REQUIRED BY P L 102-190 AND E.O. 12812 TO REVIEW FOR DECLASSIFICATION ALL SUCH DOD REPORTS RELATIVE TO THE VIETNAM ERA FOR PUBLIC RELEASE WHILE SOURCES AND METHODS ARE PROTECTED. EVERY EFFORT IS MADE TO RELEASE THE SUBSTANCE OF THE INFORMATION.

E: APPROXIMATE THE ASSIST DIA POC IS COL. S. W. HICKS. DATA OPMD RESEARCH AND ANALYSIS CURRENT OPERATIONS) POC IS JO ANNE TRAVIS C-IPS(1)

R 300303

JUN 95

EXHIBIT 7 F.

COL FRANK A. GOLI

~~R 300303~~

FM USDAO BANGKOK TH

TO RUEKJCS/DIA WASHINGTON DC//DH-3//

RUEKJCS/SECDEF WASHINGTON DC//USDP:ISA/DPMO//

INFO RUEHPF/AMEMBASSY PHNOM PENH//JTFFA DET 4//

RUHPHQA/CDR JTF-FA HONOLULU HI

RUEAIIA/CIA WASHDC//DDO/PCS/LCG/MIL/EA/ICOG POW//

RUHVAAA/CDRUSACILHI HICKAM AFB HI//TAPC-PED-H//

RHHMUNA/USCINCPAC HONOLULU HI//J2/J233/J3/J36//

RUEHVN/AMEMBASSY VIENTIANE//JTFFA DET 3//

RUEHC/SECSTATE WASHDC//EAP/VLC/DAS//

RHEHAAA/WHITEHOUSE WASHDC//NSC//

RHHMMCY/JICPAC HONOLULU HI//OTC/OBU//

BT

SECTION 01 OF 02 BANGKOK TH

THIS IS A STONY BEACH MESSAGE

SERIAL: IIR 6 024 0091 95.

BODY

COUNTRY: LAOS (LA).

SUBJ: IIR 6 024 0091 95 ~~HEARSAY LIVE SIGHTING REPORT~~
REINTERVIEWWARNING: THIS IS AN INFORMATION REPORT, NOT
FINALLY EVALUATED INTELLIGENCE.

DEPARTMENT OF DEFENSE

DOI: 910000.

REQS. D-VOP-2430-03-90.

SOURCE.

SC

SD

BUSINESSMAN WHO OBTAINED THIS INFORMATION FROM A THAI
ASSOCIATE IN 1991. SOURCE RELIABILITY HAS NOT BEEN
ESTABLISHED.

SUMMARY: THIS IS A STONY BEACH REPORT. IT

CONTAINS THE RESULTS OF A REINTERVIEW CONDUCTED IN
 RESPONSE TO COLLECTION EMPHASIS, DH-3 CITE 41374.
~~OTG 091940Z JUN 95 AND CONSISTS OF INFORMATION OF A~~
 LIVE AMERICAN HELD BY A HMONG GROUP IN LAOS.

TEXT:

1. (U) SOURCE HAS NEVER OBSERVED ANY AMERICANS OR
 OTHER INDIVIDUALS THAT COULD HAVE BEEN MISTAKEN FOR
 AMERICAN PRISONERS

2. SOURCE CONTACTED JCRC-LNO IN BANGKOK IN
 DECEMBER ~~1990~~ AND PROVIDED A BONE FRAGMENT, OBTAINED
 FROM A THAI ASSOCIATE BY THE NAME OF SSC
 WHO WORKED AT SSD, THAILAND (A KRAAT BUSINESS
 MAN)
 SUBSEQUENT TO THAT MEETING SOURCE MET ONCE AGAIN WITH
SSC WHO PROVIDED SOURCE WITH IDENTIFICATION
 INFORMATION ASSOCIATED WITH MAJOR FRANK GOULD. SOURCE
 CONTACTED THE STONY BEACH OFFICE AND PROVIDED THAT
 INFORMATION IN EARLY 1991. THERE WAS NO SPECIFIED NOR
 IMPLIED CONNECTION BETWEEN THE BONE FRAGMENT AND MAJOR
 GOULD. THESE WERE TWO SEPARATE AND DISTINCT PIECES OF
 INFORMATION. SSC TOLD SOURCE THAT MAJOR GOULD WAS
 BEING HELD BY A HMONG GROUP IN LAOS. THE LEADER OF
 THAT GROUP WANTED AN UNSPECIFIED AMOUNT OF MONEY TO
 RELEASE MAJOR GOULD. SSC DID NOT SAY WHO THE HMONG
 LEADER WAS NOR WHERE MAJOR GOULD WAS BEING HELD.
 SOURCE DOES NOT RECALL IF SSC CLAIMED TO HAVE THAT
 INFORMATION, BUT DOES REMEMBER NOT ASKING FOR THE
 INFORMATION, AND, AT THE TIME, DID NOT WANT TO KNOW
 ANY SPECIFICS FOR FEAR OF POSSIBLE REPERCUSSIONS TO
 HIM AND HIS FAMILY BY ANY GROUP ASSOCIATED WITH
 HOLDING AMERICAN PRISONERS.

3. SOURCE CAME INTO CONTACT WITH SSC THROUGH
 AN INTRODUCTION MADE BY SOURCE'S COUSIN (SEE BIO) WHO
DATA THE COUSIN KNEW THAT
 SOURCE HAD PREVIOUSLY WORKED WITH USG OFFICIALS IN
 BANGKOK AND THEREFORE MIGHT BE ABLE TO ASSIST SSC
 IN GETTING THE INFORMATION TO USG OFFICIALS. SOURCE
 HAS NOT HAD ANY CONTACT WITH SSC SINCE THEIR
 MEETING IN EARLY 1991 AND DOES NOT KNOW IF SSC IS
 STILL EMPLOYED AT THE SSD. SOURCE
 HAS NOT HAD CONTACT WITH HIS COUSIN IN OVER TWO YEARS,
 AND IN CONVERSATIONS WITH HIS COUSIN SUBSEQUENT TO
 SOURCE'S MEETING WITH SSC THE SUBJECT OF AMERICAN

BOSS FRANK
 DOES NOT
 CORRELATE TO
 GOULD
 ALIVE

PWS WAS NEVER RAISED. SOURCE HAS RECEIVED NO NEW INFORMATION REGARDING MAJOR GOULD OR OTHER MISSING US PERSONNEL.

COMMENTS:

1. FIELD COMMENTS. SOURCE WAS NOTIFIED OF NEXT-KIN POSSIBLE DESIRE TO PUT QUESTIONS TO HIM RELAYED THROUGH RO. SOURCE IS WILLING TO ANSWER ANY SUCH QUESTIONS.

2. ~~SOURCE DENIES EVER HAVING MADE A REQUEST FOR REMUNERATION IN ANY FORM FOR PROVIDING ADDITIONAL INFORMATION.~~

3. ~~SOURCE ASSUMED, THOUGH HE ADMITS IT WAS NEVER SPECIFIED, THAT USG OFFICIALS WERE GOING TO CONTACT SSC DIRECTLY REGARDING MAJOR GOULD. AN ATTEMPT IS CURRENTLY BEING MADE TO LOCATE SSC~~

4. ~~SOURCE WAS COOPERATIVE AND ADAMANT ABOUT WANTING TO ASSIST IN THIS MATTER IF POSSIBLE WITHOUT ANY FORM OF COMPENSATION.~~

///PSP: PG 2430///

///COMSOBJ: 521///

ADMIN

PROJ: 6999-10.

INSTR: US NO.

PREP: 6-02179.

ACQ: US EMBASSY, BANGKOK (950623).

DISSEM: FIELD: EMBASSY AT BANGKOK.

#0303

RPT'D
1991



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE MILITARY PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

④ Copy of memo
sent to
Marie Gould
From: Charles
Henley

HQ AFMPC/DPMCB
550 C Street West, Suite 15
Randolph AFB, TX 78150-4717

Mrs. Marie V. Gould
70707 Frank Sinatra Drive #81
Rancho Mirage CA 92270

Dear Mrs. Gould

The attached memorandum that we received from the Office of the Assistant Secretary of Defense, International Security Affairs/Defense POW-MIA Office-External Affairs (OASD ISA/DPMO-EA) is provided in response to your 18 February 1994 letter to President Clinton.

Please contact us when we can be of further assistance to you.

Sincerely

WILLIAM R. FRAMPTON
Senior Liaison Officer
Missing Persons & Inquiries Division

Attachments:

1. DPMO-EA Memorandum, I-94/36132,
18 July 1994

cc: DOD (White House Liaison Office)



PRISONER OF WAR/MISSING IN ACTION OFFICE
2400 DEFENSE PENTAGON
WASHINGTON, DC 20301-24001



① Copy of memo

Sent to

Maria Gould

From: Charles

Henley

15. 39c

In reply refer to:
I-94/36132

MEMORANDUM FOR CHIEF, MISSING PERSONS AND INQUIRY DIVISION
ATTN: MR. WILLIAM R. FRAMPTON

SUBJECT: Next of Kin Request ICO Colonel Frank A. Gould

The White House forwarded a February 18, 1994, letter (enclosed) from the wife of unaccounted for Air Force serviceman Colonel Frank A. Gould to the Defense Prisoner of War/Missing in Action Office (DPMO). Mrs. Gould provided documentation that suggests her husband is alive in Laos and wishes to return to the United States. She further indicated that the Lao have refused to permit an investigation into Colonel Gould's case. The following information responds to these and other points raised by Mrs. Gould that should prove helpful in your reply to her.

Mrs. Gould stated that as late as October 1991, Lao villagers repeatedly reported that Colonel Gould was alive and wanted to come home. She further stated that her husband is being held prisoner at Ban Xe Long village, Muang Hasak District, Oudomxai Province, Laos.

DPMO has received a total of three hearsay reports indicating that Colonel Gould is being held captive in Laos. Two of the three reports are based on information provided by one source, so in effect, there have been only two hearsay reports concerning Colonel Gould. The similarities of the information contained in the reports appear to corroborate that Colonel Gould is alive; however, there is no verbiage in these or any other reports indicating that he wants to return home. Moreover, there are factors about the hearsay reports that suggest the implausibility of him being alive. First, the sources who provided the information indicate that Colonel Gould is residing in Oudomxai Province, Laos. The Lao Government exercises only marginal control over this province, which is home to one of the largest resistance factions in Laos. Therefore, Oudomxai Province is a highly unlikely place for the Laos to hold American prisoners of war. Second, Oudomxai Province borders Thailand and escape would be a relatively easy process.



The DPMO has received eight reports based on the same supporting evidence, including original documents and artifacts, as in the hearsay reports referenced in Mrs. Gould's letter. Each of these reports describes the recovery of Colonel Gould's remains in Xieng Khouang Province, the area of his last known location near the Lao/Vietnam border.

As further evidence that her husband is alive, Mrs. Gould cited the identification card, dog tag, an American dime, and escape map that were among the personal items turned over to the United States Government. On April 27, 1990, these items, along with a religious medallion with the inscription "Service Cross, Episcopal Church," and a small data plate, were given to a Department of Defense representative by a source who claimed that Colonel Gould was deceased. Additional source reporting indicates other items possibly correlated to Colonel Gould's loss may have been recovered from eastern Xieng Khouang Province. These alleged artifacts include a partial set of human remains, aviation-type boots, a flight suit, a handgun, and a Rolex watch.

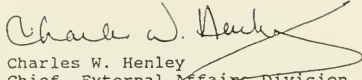
With respect to Lao cooperation concerning Colonel Gould's loss incident, Mrs. Gould asserted that the Lao have refused a request by our government to investigate his case. This statement is partially correct. The Lao have never refused our request to investigate loss cases. However, on a number of occasions, to include Colonel Gould's case, they have delayed our investigations, surveys, and/or excavations.

In March and April 1994, Defense Department investigators were permitted to investigate Colonel Gould's loss incident. Regrettably, the results of the investigation were inconclusive and reinvestigation has been recommended.

In our efforts to determine Colonel Gould's fate, DPMO has investigated each live sighting report received, including the report that Colonel Gould is living near Ban Xe Long village. Thus far, this information has not proven true. However, intelligence collection activity is currently underway, and Mrs. Gould will be advised should this endeavor produce any tangible results.

Please send a copy of your reply to Mrs. Gould to the White House Liaison Office. Their address is as follows:

Department of Defense
(ATTN: White House Liaison Office)
The pentagon, Room 3A948
Washington, DC 20301


Charles W. Henley
Chief, External Affairs Division
Defense POW/MIA Office

2) Copy of Internal Memo
To: Chief, Ext. Affairs
Charles Henley
From Chief, Research
& Analysis Div.

PRISONER OF WAR/MISSING IN ACTION OFFICE
2400 DEFENSE PENTAGON
WASHINGTON, DC 20301-2400

Memo on 2nd page
states:
"If there is nothing in
in rep any of the reports
wh. suggest Col.
Gould, it's alive, Wants
to come home"

FOR CHIEF, EXTERNAL AFFAIRS DIVISION

THROUGH: Chief, Research and Analysis Division
Chief, ~~Current Operations Branch~~ 6 12 Jun 94

SUBJECT: Background Information for OSD Tasker
94/36132 (Marie Gould ltr of 18 Feb 94)

Reference: White House ltr to the Department of Defense,
10 May 94

Referenced letter forwarded a letter from Ms. Marie Gould, wife of Col. Frank Gould (RefNo 1959), requesting DoD provide a response, should any be necessary. In her letter to the President, Ms. Gould states that "now is the time" "to rescue and resolve my husband Frank's case." Ms. Gould then outlines a number of key points which suggest her husband is still alive. Ms. Gould also claims the Lao have refused to permit an investigation into her husband's case. The following background information, in a point-counterpoint format, is provided to assist in responding to the referenced tasker:

Points 1&2. "The Laotian village people have repeatedly reported that HE IS ALIVE and WANTS TO COME HOME as late as OCTOBER 1991." "The Laotians' have reported that he is being held prisoner at: OUDOMXAI PROVINCE, LAOS (JCRC RPT 91-352) BAN XE LONG VILLAGE, MUANG HASAK DISTRICT LOCATION IS SIX OR SEVEN KILOMETERS EAST OF BAN HOUY SAI (PC5141) LAOS"

Counter. DPMO has received a total of three hearsay reports suggesting Col Gould survived his loss incident and is living in Laos. Two of the three reports are based on information provided by a single individual, so in effect, there are only two reports suggesting Col Gould survived his loss incident. These two reports contain a number of similarities which suggest corroboration, i.e. Col Gould is an aviator, he is being held in



Oudomxai Province, he has a Lao wife, and he has four children. Although these two reports support each other and suggest Col Gould is alive and well, a number of detractors should be noted. First, the sources suggest Col Gould is residing in Oudomxai Province, Laos. If the Lao were in fact holding American POWs, the last place they would keep them would be Oudomxai Province. The Lao Government exercises only nominal control over this province which is home to one of the largest resistance factions. Second, Oudomxai Province borders Thailand and escape would be a relatively easy process, even with a wife and four children. Contrary to Ms. Gould's statement above, there is nothing in any of the reports which suggest Col Gould, if alive, wants to come home. It should also be noted that DPMO has received eight reports which utilize the same supporting evidence, including original documents and artifacts, which suggest Col Gould did not survive the loss incident. These eight reports describe the recovery of Col Gould's remains in Xieng Khouang Province near the Lao/Vietnam border (within a few kilometers of Col Gould's last known location).

Point 3. "Identification card, one dog tag, an American dime and escape map were among the personal items sent and turned over to the U.S. Government as proof."

Counter. On 27 April 1990, one of the sources who claim Col Gould is dead turned over the following items to U.S. Government representatives in Thailand: one dog tag in good condition, a portion of Col Gould's military ID card, one religious medallion with "SERVICE CROSS, EPISCOPAL CHURCH" inscribed, one 1967 dime, three pieces of a plastic survival map, and one small data plate. Source reporting suggests the following additional items may have been recovered from eastern Xieng Khouang Province as well: A set of human remains (excluding skull), pilot's boots, flight suit, handgun, and a still functioning Rolex watch. Excluding recovery of Col Gould's remains, none of the above items, if recovered, document either death or survival. What recovery does indicate is knowledgeability; someone has found Col Gould or his remains.

Point 4. Ms. Gould claims the Lao have refused a United States' request to investigate her husband's loss incident. "Nothing has taken place since then."

Counter. Ms. Gould's statement is only partially correct. The Lao have never refused to investigate any cases, they have, on a number of occasions, delayed investigations, surveys, and/or excavations. U.S. representatives were

finally able to investigate the Gould loss incident in March/April 1994. The results of this investigation were inconclusive, and reinvestigation was recommended.

Although Col Gould's official status is listed as XX, presumptive finding of death, DPMO is actively seeking answers with regard to his status. Collection activity is currently underway and Ms. Gould will be advised relative the results of any collection actions. Ms. Gould should also be advised that the presumption of death does not impact on this Office's efforts to resolve any sighting reports. Although one of the hearsay reports suggest Col. Gould is living near Xe Long village, DPMO has been unable to corroborate this information, and as such, a rescue operation or diplomatic request for his release would not be feasible.

Exhibit 10

JOINT CASUALTY RESOLUTION CENTER
NAS BARBERS POINT, HAWAII 96862

CASE 1959-1-01

NARRATIVE

Case Narrative
12 June 1992
Only (4) one
live Sighting

ON 21 DECEMBER 1972, MAJOR FRANK A. GOULD WAS THE RADAR NAVIGATOR IN A SIX MAN CREW ABOARD A B-52D AIRCRAFT. THE AIRCRAFT, SERIAL NUMBER 56-0669, WAS HIT BY A SURFACE-TO-AIR MISSILE WHILE ON A COMBAT MISSION IN NORTH VIETNAM. THE PILOT FLEW THE CRIPPLED AIRCRAFT UNTIL THE CREW WAS FORCED TO PARACHUTE INTO THE MOUNTAINOUS AREA, APPROXIMATELY 40 KILOMETERS NORTHEAST OF BAN BAN, XIANGKHOANG PROVINCE. SEARCH AND RESCUE FORCES RECOVERED FIVE CREWMEN BUT WERE UNABLE TO LOCATE MAJOR GOULD. THE AIRCRAFT COMMANDER STATED THAT HE WAS THE LAST CREW MEMBER TO LEAVE THE AIRCRAFT AND ANOTHER CREW MEMBER REPORTED THAT HE HEARD MAJOR GOULD'S SEAT EJECT FROM THE AIRCRAFT. IN THE LATE AFTERNOON OF 21 DECEMBER, SEARCH AND RESCUE FORCES SAW WHAT APPEARED TO BE MIRROR FLASHES COMING FROM THE SAME GENERAL AREA WHERE THE OTHER CREW MEMBERS WERE RESCUED; HOWEVER, NIGHTFALL PREVENTED ANY EFFORTS TO LOCATE AND IDENTIFY THE SOURCE OF THE MIRROR FLASHES. THE FOLLOWING MORNING, SEARCH EFFORTS WERE RESUMED WITH NEGATIVE RESULTS. MAJOR GOULD'S ESTIMATED LAST KNOWN LOCATION IS IN THE VICINITY OF GRID COORDINATES UG8090, IN AN AREA APPROXIMATELY TEN KILOMETERS SOUTHWEST OF BAN GNOTPIAK, XIANGKHOANG PROVINCE. THE AIRCRAFT IS BELIEVED TO HAVE CRASHED IN THE VICINITY OF GRID COORDINATES UH950020, NEAR BAN GNOTPIAK, IN THE HOUAPHAN AND XIANGKHOANG PROVINCIAL BORDER AREA.

CASE 1959-1-01

PERTINENT DATA ARE AS FOLLOWS:

NAME: GOULD, FRANK A.

RANK: MAJOR, U.S. AIR FORCE

DATE OF BIRTH: 22 MAY 1933

RACE: CAUCASIAN

HEIGHT: 1.80 METERS

WEIGHT: 79.7 KILOGRAMS

HAIR: BROWN

EYES: BLUE

JOINT TASK FORCE - FULL ACCOUNTING
BIOGRAPHIC/SITE REPORT AS OF 19 June 1992

***** BIOGRAPHIC SECTION *****

REFNO: 1959-1-01 (ACCNO 1994)
Name: GOULD, FRANK ALTON

Status: (8) DEAD BODY NOT RECOVERED
Date Status assigned: 13 Aug 1979

National: UNITED STATES	Race: CAUCASIAN	Blood Chit: DATA
Service: AIR FORCE	Sex: MALE	Survive: 1
Grade: O4	Hair: BROWN	Grave corr:
SSAN: 101242560	Eyes: BROWN	Weapon:
Serial No: S	Height: 71 Inches 1.80 mtrs	Weapon Ser.: #
Birth date: 22 May 1933	Weight: 176 lbs. 79.7 kilos	Partial Rsvld:

Duty pos: RADAR NAV	Complexion: TAN
PW CAMP: S	Blood Type: A +
Religion: OTHER	Home State: NEW YORK

Case type: DISCREPANCY

***** SITE SECTION *****

INCIDENT LOCATION (0)

LAST KNOWN LOCATION (1)

Site Type: CRASH SITE
UTM: 48QUH950020
Lat/Long: 195447N1035948E
Country: LAOS
Military Region: 3
Mission Province: HOUAPHAN
Mission Date: 21 Dec 1972
Mission Category: 3
Location Analysis: Unknown location.

Site Type: SECONDARY SITE
UTM: 48QUG800900
Lat/Long: 194814N1035115E
Military Region: 2
Mission Province: XIANGKHOANG
Unknown location.

*** VEHICLE DATA ***

Vehicle Type: 852D
Crash Type: Enemy action.
Call Sign: STRAW 02
Year: 56
Serial: 0669
Engine Type: J57
1 Serial: 601076
2 Serial: 608641

CASE 1959

Circumstances of loss - 24 November 1975

ON 21 DECEMBER 1972 MAJ FRANK A. GOULD WAS THE NAVIGATOR IN A SIX MAN CREW ON BOARD A B52-D. (#56669), CONDUCTING A COMBAT BOMBING MISSION IN THE VICINITY OF GRID COORDINATES (GC) WJ 877 245, NORTH VIETNAM, WHEN A SURFACE-TO-AIR MISSILE (SAM) DETONATED UNDER THE AIRCRAFT. THE AIRCRAFT LOST CABIN PRESSURE, ELECTRICAL POWER, AND TWO ENGINES IMMEDIATELY, BUT THE PILOT WAS ABLE TO MAINTAIN CONTROL AND EGRESSED. THE PILOT TRIED TO FOLLOW THE EXIT ROUTE AS CLOSELY AS POSSIBLE, BUT MOST OF THE NAVIGATIONAL INSTRUMENTS WERE DAMAGED AND HE DECIDED TO HEAD FOR THE MEKONG RIVER AND FOLLOW IT VISUALLY.

APPROXIMATELY 25 MINUTES AFTER BEING HIT, THE AIRCRAFT STARTED TO LOSE POWER AND TO HAVE CONTROL PROBLEMS. AT 2235 HOURS, WHEN AT 19000 FEET, THE AIRCRAFT HAD ONLY TWO ENGINES AND WAS HAVING MORE CONTROL PROBLEMS. THE BAILOUT SEQUENCE WAS INITIATED OVER MOUNTAINOUS JUNGLE TERRAIN, JUST OVER THE LAOTIAN BORDER. MAJ GOULD HAD SUSTAINED INJURIES TO HIS RIGHT ARM AND LEG FROM THE SAM. HIS EJECTION WAS NOT OBSERVED, HOWEVER, THE CO-PILOT DID HEAR HIS EJECTION SEAT FIRING SEQUENCE.

A SEARCH AND RESCUE (SAR) EFFORT WAS INITIATED AND THE OTHER FIVE CREWMEN WERE RECOVERED. HOWEVER, NO BEEPER SIGNALS WERE HEARD, NO PARACHUTE WAS SEEN, AND THERE WERE NO SIGHTINGS OF MAJ GOULD. ON 26 DECEMBER THE SAR EFFORT WAS SUSPENDED. MAJ GOULD'S ESTIMATED LAST KNOWN LOCATION IS IN THE VICINITY OF (GC) UG 800 900. THE AIRCRAFT CRASHED IN THE VICINITY OF (GC) UH 950 020. (REF 1)

DURING THE EXISTENCE OF JCRC, THE HOSTILE THREAT IN THE AREA PRECLUDED ANY VISITS TO OR GROUND INSPECTIONS OF THE SITES INVOLVED IN THIS CASE. THIS INDIVIDUAL'S NAME AND IDENTIFYING DATA WERE TURNED OVER TO THE FOUR-PARTY JOINT MILITARY TEAM WITH A REQUEST FOR ANY INFORMATION AVAILABLE. NO RESPONSE WAS FORTHCOMING. MAJ GOULD IS CURRENTLY CARRIED IN THE PRESUMPTIVE STATUS OF DEAD, BODY NOT RECOVERED.

Subsequent Information - 7 February 1985

SOURCE PROVIDED INFORMATION PERTAINING TO HIS 1965 SIGHTING OF ONE CREW MEMBER OF A B-52 AIRCRAFT SHOT DOWN IN THE VICINITY OF "PHOU NONG, BOUAKONH VILLAGE", LAOS. THIS POTENTIALLY CORRELATES TO REFNO 1959. (REF 2)

A SOURCE REPORTED RECEIVING IDENTIFICATION MEDIA FROM AN ETHNIC "LAO FONG" PERSON WHO ALLEGEDLY FOUND THE REMAINS IN XIANGKHOANG PROVINCE, "ABOUT 20 KILOMETERS FROM THE VIETNAM BORDER". IN THE LETTER SENT TO

CASE: 1959

JCRC-LNO. THE SOURCE PROVIDED COPIES OF A DOG TAG WHICH CONTAINED MAJOR GOULD'S NAME, SOCIAL SECURITY NUMBER AND BLOOD TYPE, AND A COPY OF THE BACKSIDE OF A MILITARY IDENTIFICATION CARD WITH MAJOR GOULD'S BIRTH DATE, HEIGHT AND WEIGHT, EYE AND HAIR COLOR, AND BLOOD TYPE. HE ALSO PROVIDED AN ESCAPE AND EVASION MAP SHEET NUMBER. MAJOR GOULD'S INCIDENT OCCURRED WITHIN THE AREA DEPICTED ON THIS MAP SHEET. THE SOURCE PROVIDED A SKETCH OF AN EPISCOPAL CHURCH RELIGIOUS MEDALION; HOWEVER, JCRC RECORDS INDICATE THAT MAJOR GOULD HAD NO RELIGIOUS PREFERENCE. (REF 3)

Subsequent Information - 31 July 1990

SOURCE STATED THAT HE WAS RECENTLY CONTACTED BY A FORMER PATHET LAO SOLDIER FROM XIANGKHOANG PROVINCE, LAOS, WHO CLAIMS TO HAVE THE REMAINS OF A PILOT WHO PARACHUTED OUT OF HIS AIRCRAFT SHORTLY BEFORE IT CRASHED IN 1968. THE SOURCE STATED THAT IDENTIFICATION MEDIA DATA FOUND ON THE PILOT'S REMAINS ARE THOSE OF FRANK A. GOULD. THE CORRELATION WITH THIS INCIDENT IS BASED ON NAME, LOCATION AND CIRCUMSTANCES OF LOSS. (REF 4)

THE SOURCE OF REPORT 90-236 CONTACTED JCRC-LNO ON 27 AUG TO REPORT THAT THE PERSON WHO CLAIMS TO HAVE THE REMAINS OF HENRY L. ALLEN NOW CLAIMS TO ALSO HAVE ACCESS TO THE REMAINS OF MAJOR GOULD. THE CORRELATION WITH MAJOR GOULD IS BASED ONLY ON NAME ASSOCIATION. (REF 5)

SOURCE IDENTIFIED SUB-SOURCE WHO ALLEGEDLY HAD REMAINS, IDENTIFICATION MEDIA AND PERSONAL EFFECTS OF MAJ. GOULD. PERSONAL EFFECTS DESCRIBED AS BOOTS, FLIGHT SUIT, HANDGUN AND ROLEX WATCH. (REF 6)

SOURCE REPORTS CONTACT WITH A RELATIVE WHO IS ALLEGEDLY IN POSSESSION OF THE REMAINS OF AN AMERICAN WHO DIED IN LAOS DURING THE VIETNAM WAR. SOURCE PROVIDED A PIECE OF PAPER INCLUDING HAND COPIED INFORMATION FROM AN IDENTIFICATION CARD ISSUED TO GOULD FRANK A.. SOURCE HEARD THAT THE REMAINS AND IDENTIFICATION CARD WERE FOUND IN XIANGKHOANG PROVINCE. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA PROVIDED BY THE SOURCE OF THIS REPORT. JCRC HAS RECEIVED PREVIOUS REPORTING RELATED TO MAJOR GOULD'S INCIDENT. (REF 7)

SOURCE PROVIDED ADDITIONAL INFORMATION ON ALLEGED REMAINS OF AN AMERICAN AIRCREW MEMBER. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA PREVIOUSLY REPORTED BY THE SOURCE. ADDITIONAL INFORMATION PROVIDED BY THE SOURCE IS THE ALLEGED VIEWING OF MAJOR GOULD'S REMAINS AND PERSONAL EFFECTS. (REF 8)

SOURCE PROVIDED PERSONAL ID MEDIA FROM THE DOG TAG AND REVERSE SIDE OF THE IDENTIFICATION CARD OF MAJ. GOULD. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA ONLY. (REF 9)

References - 7 February 1985

REFERENCES: <1> PPT , AF FORM 484, W/STATEMENTS, 15 MAR 73. <2> REFCON

CASE: 1959

35-021. <3> JCRC LIAISON BANGKOK TH, 020928Z APR 90. <4> JCRC LIAISON BANGKOK TH, 250926Z MAY 90 30-236. <5> JCRC LIAISON BANGKOK TH 270937Z AUG 90/T90-424 AND JCRC LIAISON BANGKOK TH 250926Z MAY 90 30-236. <6> 90-234 & 90-430. <7> '91-037, 050513Z FEB 91. <8> '91-061. 150859Z MAR 91. <9> 91-352, JCRC LNO, BKK, TH, 290214Z OCT 91.

Negotiation actions - 29 May 1991

(TALKING POINT) THIS CASE WAS DISCUSSED WITH LAO GOVERNMENT OFFICIALS DURING THE 4 MAY 1991 CONSULTATIVE MEETING IN VIENTIANE.

A CASE NARRATIVE WAS PASSED TO THE REPRESENTATIVES OF THE LAO GOVERNMENT DURING THE 1-2 JUNE 1992 CONSULTATIVE MEETING IN VIENTIANE IN CONJUNCTION WITH DISCUSSIONS ON FY 1992 AND 1993 WORKPLANS.

Encl. 11

Case Narrative
 April 21, 1994
 Only (1) one LIVE
 sighting included

JOINT TASK FORCE - FULL ACCOUNTING
 BIOGRAPHIC/SITE REPORT AS OF 21 APRIL 1994

===== BIOGRAPHIC INFORMATION =====

CCNO 1994)
 ALTON

Status: (8) DEAD BODY NOT RECOVERED
 Date Status assigned: 13 Aug 1979

Nationality	AMERICAN	Race	CAUCASIAN	Blood Chit	DATA
Service	AIR FORCE	Sex	MALE	Blood type	A +
Grade	O4	Hair	BROWN	Complexion	TAN
SSAN	101-24-2560	Eyes	BLUE	Weapon	#
Serial No	\$	Height	71 in / 1.80 mtrs	Weapon No	#
Birth date	22 May 1933	Weight	176 lb / 79.7 kg	Duty pos	RADAR NAV
Home State	NEW YORK	Religion	OTHER	PW Camp	\$

===== SITE INFORMATION =====

INCIDENT LOCATION (0)

LAST KNOWN LOCATION (1)

Site Type: CRASH SITE
 UTM: 48QUH950020
 Lat/Long: 195447N / 1035948E
 Country: LAOS
 Military Region: 3
 Mission Province: HOUAPHAN
 (formerly):
 Mission District: HOUAMUANG
 Mission Date: 21 Dec 1972
 Mission Category: 3
 Local Analysis: None.

SECONDARY SITE:
 48QUG800900
 194814N / 1035115E
 2
 XIANGKHOANG

Unknown location.

===== JTF-FA ACTIVITY SUMMARY =====

Case type: DISCREPANCY
 Survivability: (1) Out of the aircraft at the time of the crash

===== VEHICLE DATA =====

Vehicle Type: B52D	Serial: 669
Crash Type: Enemy action	Engine Type: J57
Call Sign: STRAW 02	1 Serial: 601076
Year: 56	2 Serial: 608641

===== SPECIAL CHARACTER KEY =====

= Item has been researched but data cannot be obtained.
 \$ = Item is not applicable to this case.
 or Blank = Data for item is unknown or not available.

CASE: 1959

=== CIRCUMSTANCES OF LOSS ===

24 November 1975

ON 21 DECEMBER 1972 MAJ FRANK A. GOULD WAS THE NAVIGATOR IN A SIX MAN CREW ON BOARD A B52-D, (#56669), CONDUCTING A COMBAT BOMBING MISSION IN THE VICINITY OF GRID COORDINATES (GC) WJ 877 245, NORTH VIETNAM, WHEN A SURFACE-TO-AIR MISSILE (SAM) DETONATED UNDER THE AIRCRAFT. THE AIRCRAFT LOST CABIN PRESSURE, ELECTRICAL POWER, AND TWO ENGINES IMMEDIATELY, BUT THE PILOT WAS ABLE TO MAINTAIN CONTROL AND EGRESSED. THE PILOT TRIED TO FOLLOW THE EXIT ROUTE AS CLOSELY AS POSSIBLE, BUT MOST OF THE NAVIGATIONAL INSTRUMENTS WERE DAMAGED AND HE DECIDED TO HEAD FOR THE MEKONG RIVER AND FOLLOW IT VISUALLY.

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=== SUBSEQUENT INFORMATION ===

7 February 1985

SOURCE PROVIDED INFORMATION PERTAINING TO HIS 1965 SIGHTING OF ONE CREW MEMBER OF A B-52 AIRCRAFT SHOT DOWN IN THE VICINITY OF "PHOU NONG, BOUAKONH VILLAGE", LAOS. THIS POTENTIALLY CORRELATES TO REFNO 1959. (REF 2)

CASE: 1959

9 May 1990

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31 July 1990

SOURCE STATED THAT HE WAS RECENTLY CONTACTED BY A FORMER PATHET LAO SOLDIER FROM XIANGKHOANG PROVINCE, LAOS, WHO CLAIMS TO HAVE THE REMAINS OF A PILOT WHO PARACHUTED OUT OF HIS AIRCRAFT SHORTLY BEFORE IT CRASHED IN 1968. THE SOURCE STATED THAT IDENTIFICATION MEDIA DATA FOUND ON THE PILOT'S REMAINS ARE THOSE OF FRANK A. GOULD. THE CORRELATION WITH THIS INCIDENT IS BASED ON NAME, LOCATION AND CIRCUMSTANCES OF LOSS. (REF 4)

13 November 1990

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SOURCE IDENTIFIED SUB-SOURCE WHO ALLEGEDLY HAD REMAINS, IDENTIFICATION MEDIA AND PERSONAL EFFECTS OF MAJ. GOULD. PERSONAL EFFECTS DESCRIBED AS BOOTS, FLIGHT SUIT, HANDGUN AND ROLEX WATCH. (REF 6)

15 April 1991

SOURCE REPORTS CONTACT WITH A RELATIVE WHO IS ALLEGEDLY IN POSSESSION OF THE REMAINS OF AN AMERICAN WHO DIED IN LAOS DURING THE VIETNAM WAR. SOURCE PROVIDED A PIECE OF PAPER INCLUDING HAND COPIED INFORMATION FROM AN IDENTIFICATION CARD ISSUED TO GOULD FRANK A.. SOURCE HEARD THAT THE REMAINS AND IDENTIFICATION CARD WERE FOUND IN XIANGKHOANG PROVINCE. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA PROVIDED BY THE SOURCE OF THIS REPORT. JCRC HAS RECEIVED PREVIOUS REPORTING RELATED TO MAJOR GOULD'S INCIDENT. (REF 7)

CASE: 1959

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22 November 1991

SOURCE PROVIDED PERSONAL ID MEDIA FROM THE DOG TAG AND REVERSE SIDE OF THE IDENTIFICATION CARD OF MAJ. GOULD. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA ONLY. (REF 9)

=== REFERENCES ===

7 February 1985

REFERENCES: <1> RPT AF FORM 484, W/STATEMENTS, 15 MAR 73. <2> REFCON 85-021. <3> JCRC LIAISON BANGKOK TH, 020928Z APR 90. <4> JCRC LIAISON BANGKOK TH, 250926Z MAY 90, 90-236. <5> JCRC LIAISON BANGKOK TH 270937Z AUG 90 90-424 AND JCRC LIAISON BANGKOK TH 250926Z MAY 90 90-236. <6> 90-234 & 90-430. <7> 91-037, 050513Z FEB 91. <8> 91-061, 150859Z MAR 91. <9> 91-352, JCRC LNO, BKK, TH, 290214Z OCT-91.

=== NEGOTIATION ACTIONS ===

29 May 1991

(TALKING POINT) THIS CASE WAS DISCUSSED WITH LAO GOVERNMENT OFFICIALS DURING THE 4 MAY 1991 CONSULTATIVE MEETING IN VIENTIANE.

4 March 1994

CASE NARRATIVE FOR CASE 1959-1-01 WAS PASSED TO REPRESENTATIVES OF THE LAO GOVERNMENT FOLLOWING THE 18-19 FEB 94 CONSULTATIVE MEETING.

Case Narrative

May 3, 1994

Only (2) one live

Sighting included

JOINT TASK FORCE - FULL ACCOUNTING

BIOGRAPHIC/SITE REPORT AS OF 3 MAY 1994

BIOGRAPHIC INFORMATION

REF TO 1994)

Status: (8) DEAD BODY NOT RECOVERED
Date Status assigned: 13 Aug 1979

Name. UUUUU, UUUUU, UUUUU

Nationality AMERICAN
Service AIR FORCE
Grade O4
SSAN 101-24-2560
Serial No \$
Birth date 22 May 1933
Home State NEW YORK

Race CAUCASIAN
Sex MALE
Hair BROWN
Eyes BLUE
Height 71 in / 1.80 mtrs
Weight 176 lb / 79.7 kg
Religion OTHER

Blood Chit DATA
Blood type A +
Complexion TAN
Weapon #
Weapon No #
Duty pos RADAR NAV
PW Camp \$

SITE INFORMATION

INCIDENT LOCATION (0)

LAST KNOWN LOCATION (1)

Site Type: CRASH SITE
UTM: 48QUH950020
Lat/Long: 195447N / 1035948E
Country: LAOS
Military Region: 3
Mission Province: HOUAPHAN
(formerly):
Mission District: HOUAMUANG
Mission Date: 21 Dec 1972
Mission Category: 3
Local Analysis: None.

SECONDARY SITE
48QUH950020
194814N / 1035115E
2
XIANGKHOANG

Unknown location.

JTF-FA ACTIVITY SUMMARY

Investigations: Mar 94
Vessey Case: NO
Case type: DISCREPANCY
Survivability: (1) Out of the aircraft at the time of the crash

VEHICLE DATA

Vehicle Type: B52D
Crash Type: Enemy action
Call Sign: STRAW 02
Year: 56

Serial: 669
Engine Type: J57
1 Serial: 601076
2 Serial: 608641

SPECIAL CHARACTER KEY

= Item has been researched but data cannot be obtained.
\$ = Item is not applicable to this case.
@ or Blank = Data for item is unknown or not available.

CASE: 1959

=== CIRCUMSTANCES OF LOSS 7 ===

24 November 1975

ON 21 DECEMBER 1972 MAJ FRANK A. GOULD WAS THE NAVIGATOR IN A SIX MAN CREW ON BOARD A B52-D, (#56669), CONDUCTING A COMBAT BOMBING MISSION IN THE VICINITY OF GRID COORDINATES (GC) WJ 877 245, NORTH VIETNAM, WHEN A SURFACE-TO-AIR MISSILE (SAM) DETONATED UNDER THE AIRCRAFT. THE AIRCRAFT LOST CABIN PRESSURE, ELECTRICAL POWER, AND TWO ENGINES IMMEDIATELY, BUT THE PILOT WAS ABLE TO MAINTAIN CONTROL AND EGRESSED. THE PILOT TRIED TO FOLLOW THE EXIT ROUTE AS CLOSELY AS POSSIBLE, BUT MOST OF THE NAVIGATIONAL INSTRUMENTS WERE DAMAGED AND HE DECIDED TO HEAD FOR THE MEKONG RIVER AND FOLLOW IT VISUALLY.

APPROXIMATELY 25 MINUTES AFTER BEING HIT, THE AIRCRAFT STARTED TO LOSE POWER AND TO HAVE CONTROL PROBLEMS. AT 2235 HOURS, WHEN AT 19000 FEET, THE AIRCRAFT HAD ONLY TWO ENGINES AND WAS HAVING MORE CONTROL PROBLEMS. THE BAILOUT SEQUENCE WAS INITIATED OVER MOUNTAINOUS JUNGLE TERRAIN, JUST OVER THE LAOTIAN BORDER. MAJ GOULD HAD SUSTAINED INJURIES TO HIS RIGHT ARM AND LEG FROM THE SAM. HIS EJECTION WAS NOT OBSERVED, HOWEVER, THE CO-PILOT DID HEAR HIS EJECTION SEAT FIRING SEQUENCE.

A SEARCH AND RESCUE (SAR) EFFORT WAS INITIATED AND THE OTHER FIVE CREWMEN WERE RECOVERED, HOWEVER, NO BEEPER SIGNALS WERE HEARD, NO PARACHUTE WAS SEEN, AND THERE WERE NO SIGHTINGS OF MAJ GOULD. ON 26 DECEMBER THE SAR EFFORT WAS SUSPENDED. MAJ GOULD'S ESTIMATED LAST KNOWN LOCATION IS IN THE VICINITY OF (GC) UG 800 900. THE AIRCRAFT CRASHED IN THE VICINITY OF (GC) UH 950 020. (REF 1)

DURING THE EXISTENCE OF JCRC, THE HOSTILE THREAT IN THE AREA PRECLUDED ANY VISITS TO OR GROUND INSPECTIONS OF THE SITES INVOLVED IN THIS CASE. THIS INDIVIDUAL'S NAME AND IDENTIFYING DATA WERE TURNED OVER TO THE FOUR-PARTY JOINT MILITARY TEAM WITH A REQUEST FOR ANY INFORMATION AVAILABLE. NO RESPONSE WAS FORTHCOMING. MAJ GOULD IS CURRENTLY CARRIED IN THE PRESUMPTIVE STATUS OF DEAD, BODY NOT RECOVERED.

=== SUBSEQUENT INFORMATION ===

7 February 1985

SOURCE PROVIDED INFORMATION PERTAINING TO HIS 1965 SIGHTING OF ONE CREW MEMBER OF A B-52 AIRCRAFT SHOT DOWN IN THE VICINITY OF "PHOU NONG, BOUAKONH VILLAGE", LAOS. THIS POTENTIALLY CORRELATES TO REFNO 1959. (REF 2)

CASE: 1959

9 May 1990

A SOURCE REPORTED RECEIVING IDENTIFICATION MEDIA FROM AN ETHNIC "LAO FONG" PERSON WHO ALLEGEDLY FOUND THE REMAINS IN XIANGKHOANG PROVINCE, "ABOUT 20 KILOMETERS FROM THE VIETNAM BORDER". IN THE LETTER SENT TO JCRC-LNO, THE SOURCE PROVIDED COPIES OF A DOG TAG WHICH CONTAINED MAJOR GOULD'S NAME, SOCIAL SECURITY NUMBER AND BLOOD TYPE, AND A COPY OF THE BACKSIDE OF A MILITARY IDENTIFICATION CARD WITH MAJOR GOULD'S BIRTH DATE, HEIGHT AND WEIGHT, EYE AND HAIR COLOR, AND BLOOD TYPE. HE ALSO PROVIDED AN ESCAPE AND EVASION MAP SHEET NUMBER. MAJOR GOULD'S INCIDENT OCCURRED WITHIN THE AREA DEPICTED ON THIS MAP SHEET. THE SOURCE PROVIDED A SKETCH OF AN ESISCOPAL CHURCH RELIGIOUS MEDALLION; HOWEVER, JCRC RECORDS INDICATE THAT MAJOR GOULD HAD NO RELIGIOUS PREFERENCE. (REF 3)

31 July 1990

SOURCE STATED THAT HE WAS RECENTLY CONTACTED BY A FORMER PATHET LAO SOLDIER FROM XIANGKHOANG PROVINCE, LAOS, WHO CLAIMS TO HAVE THE REMAINS OF A PILOT WHO PARACHUTED OUT OF HIS AIRCRAFT SHORTLY BEFORE IT CRASHED IN 1968. THE SOURCE STATED THAT IDENTIFICATION MEDIA DATA FOUND ON THE PILOTS REMAINS ARE THOSE OF FRANK A. GOULD. THE CORRELATION WITH THIS INCIDENT IS BASED ON NAME, LOCATION AND CIRCUMSTANCES OF LOSS. (REF 4)

13 November 1990

THE SOURCE OF REPORT 90-236 CONTACTED JCRC-LNO ON 27 AUG TO REPORT THAT THE PERSON WHO CLAIMS TO HAVE THE REMAINS OF HENRY L. ALLEN NOW CLAIMS TO ALSO HAVE ACCESS TO THE REMAINS OF MAJOR GOULD. THE CORRELATION WITH MAJOR GOULD IS BASED ONLY ON NAME ASSOCIATION. (REF 5)

SOURCE IDENTIFIED SUB-SOURCE WHO ALLEGEDLY HAD REMAINS, IDENTIFICATION MEDIA AND PERSONAL EFFECTS OF MAJ. GOULD. PERSONAL EFFECTS DESCRIBED AS BOOTS, FLIGHT SUIT, HANDGUN AND ROLEX WATCH. (REF 6)

15 April 1991

SOURCE REPORTS CONTACT WITH A RELATIVE WHO IS ALLEGEDLY IN POSSESSION OF THE REMAINS OF AN AMERICAN WHO DIED IN LAOS DURING THE VIETNAM WAR. SOURCE PROVIDED A PIECE OF PAPER INCLUDING HAND COPIED INFORMATION FROM AN IDENTIFICATION CARD ISSUED TO GOULD FRANK A.. SOURCE HEARD THAT THE REMAINS AND IDENTIFICATION CARD WERE FOUND IN XIANGKHOANG PROVINCE. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA PROVIDED BY THE SOURCE OF THIS REPORT. JCRC HAS RECEIVED PREVIOUS REPORTING RELATED TO MAJOR GOULD'S INCIDENT. (REF 7)

CASE: 1959

SOURCE PROVIDED ADDITIONAL INFORMATION ON ALLEGED REMAINS OF AN AMERICAN AIRCREW MEMBER. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA PREVIOUSLY REPORTED BY THE SOURCE. ADDITIONAL INFORMATION PROVIDED BY THE SOURCE IS THE ALLEGED VIEWING OF MAJOR GOULD'S REMAINS AND PERSONAL EFFECTS. (REF 8)

22 November 1991

SOURCE PROVIDED PERSONAL ID MEDIA FROM THE DOG TAG AND REVERSE SIDE OF THE IDENTIFICATION CARD OF MAJ. GOULD. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA ONLY. (REF 9)

=== REFERENCES ===

7 February 1985

REFERENCES: <1> RPT , AF FORM 484, W/STATEMENTS, 15 MAR 73. <2> REFCON 85-021. <3> JCRC LIAISON BANGKOK TH, 020928Z APR 90. <4> JCRC LIAISON BANGKOK TH, 250926Z MAY 90 90-236. <5> JCRC LIAISON BANGKOK TH, 270937Z AUG 90 90-424 AND JCRC LIAISON BANGKOK TH 250926Z MAY 90 90-236. <6> 90-234 & 90-430. <7> 91-037, 050513Z FEB 91. <8> 91-061, 150859Z MAR 91. <9> 91-352, JCRC LNO, BKK, TH, 290214Z OCT 91. <10> AMEMBASSY VIENTIANE 070200Z APR 94.

=== NEGOTIATION ACTIONS ===

29 May 1991

(TALKING POINT) THIS CASE WAS DISCUSSED WITH LAO GOVERNMENT OFFICIALS DURING THE 4 MAY 1991 CONSULTATIVE MEETING IN VIENTIANE.

4 March 1994

CASE NARRATIVE FOR CASE 1959-1-01 WAS PASSED TO REPRESENTATIVES OF THE LAO GOVERNMENT FOLLOWING THE 18-19 FEB 94 CONSULTATIVE MEETING.

=== JOINT INVESTIGATION, SURVEY OR EXCAVATION ===

25 April 1994

ON 31 MAR IEL INVESTIGATED CASE 1959 IN NONG HET DISTRICT, XIANGKHOANG PROVINCE. IEL INTERVIEWED RESIDENTS IN FIVE VILLAGES LOCATED AROUND THE INCIDENT AREA. INFORMATION WAS FOUND WHICH CORRELATES TO A B-52 AIRCRAFT CRASH SITE, HOWEVER NO INFORMATION WAS OBTAINED THAT COULD BE CORRELATED TO THE LOSS OR DISPOSITION OF THE CASE 1959 CREWMEMBER. BASED ON PAST REPORTING WHICH INDICATES THAT LAO CITIZENS HAVE LOCATED THE CASE 1959 INDIVIDUALS'S REMAINS, THE U.S. TEAM WILL REQUEST LAO GOVERNMENT

ASE: 1959

ASSISTANCE TO FURTHER INVESTIGATE THESE REPORTS IN LOUANGPHABANG PROVINCE,
THE REMAINING VALID REQUIREMENT. (REF 10)

Exhibit 13

Case Narrative

May 23, 1994

Only (1) one live
sighting included

JOINT TASK FORCE - FULL ACCOUNTING

BIOGRAPHIC/SITE REPORT AS OF 23 MAY 1994

===== BIOGRAPHIC INFORMATION =====

ACCNO 1994)

Status: (8) DEAD BODY NOT RECOVERED

, ALTON

Date Status assigned: 13 Aug 1979

Nationality	AMERICAN	Race	CAUCASIAN	Blood Chit	DATA
Service	AIR FORCE	Sex	MALE	Blood type	A +
Grade	O4	Hair	BROWN	Complexion	TAN
SSAN	101-24-2560	Eyes	BLUE	Weapon	#
Serial No	\$	Height	71 in / 1.80 mtrs	Weapon No	#
Birth date	22 May 1933	Weight	176 lb / 79.7 kg	Duty pos	RADAR NAV
Home State	NEW YORK	Religion	OTHER	PW Camp	\$

===== SITE INFORMATION =====

	INCIDENT LOCATION (0)	LAST KNOWN LOCATION (1)
Site Type:	CRASH SITE	SECONDARY SITE
UTM:	48QUG862840	48QUG800900
Lat/Long:	194500N / 1035449E	194814N / 1035115E
Country:	LAOS	
Military Region:	3	2
Mission Province:	XIANGKHOANG	
(formerly):	HOUAPHAN	
Mission District:	NONGHET	KHAM
Mission Date:	21 Dec 1972	
Mission Category:	3	
Local Analysis:	None.	Unknown location.

===== JTF-FA ACTIVITY SUMMARY =====

Investigations: Mar 94
 Vessey Case: NO
 Case type: DISCREPANCY
 Survivability: (1) Out of the aircraft at the time of the crash

===== VEHICLE DATA =====

Vehicle Type: B52D	Serial: 669
Crash Type: Enemy action	Engine Type: J57
Call Sign: STRAW 02	1 Serial: 601076
Year: 56	2 Serial: 608641

===== SPECIAL CHARACTER KEY =====

= Item has been researched but data cannot be obtained.
 \$ = Item is not applicable to this case.
 @ or Blank = Data for item is unknown or not available.

102. 1707

=== CIRCUMSTANCES OF LOSS .f===

24 November 1975

ON 21 DECEMBER 1972 MAJ FRANK A. GOULD WAS THE NAVIGATOR IN A SIX MAN CREW ON BOARD A B52-D, (#566669), CONDUCTING A COMBAT BOMBING MISSION IN THE VICINITY OF GRID COORDINATES (GC) WJ 877 245, NORTH VIETNAM, WHEN A SURFACE-TO-AIR MISSILE (SAM) DETONATED UNDER THE AIRCRAFT. THE AIRCRAFT LOST CABIN PRESSURE, ELECTRICAL POWER, AND TWO ENGINES IMMEDIATELY, BUT THE PILOT WAS ABLE TO MAINTAIN CONTROL AND EGRESSED. THE PILOT TRIED TO FOLLOW THE EXIT ROUTE AS CLOSELY AS POSSIBLE, BUT MOST OF THE NAVIGATIONAL INSTRUMENTS WERE DAMAGED AND HE DECIDED TO HEAD FOR THE MEKONG RIVER AND FOLLOW IT VISUALLY.

APPROXIMATELY 25 MINUTES AFTER BEING HIT, THE AIRCRAFT STARTED TO LOSE POWER AND TO HAVE CONTROL PROBLEMS. AT 2235 HOURS, WHEN AT 19000 FEET, THE AIRCRAFT HAD ONLY TWO ENGINES AND WAS HAVING MORE CONTROL PROBLEMS. THE BAILOUT SEQUENCE WAS INITIATED OVER MOUNTAINOUS JUNGLE TERRAIN, JUST OVER THE LAOTIAN BORDER. MAJ GOULD HAD SUSTAINED INJURIES TO HIS RIGHT ARM AND LEG FROM THE SAM. HIS EJECTION WAS NOT OBSERVED, HOWEVER, THE CO-PILOT DID HEAR HIS EJECTION SEAT FIRING SEQUENCE.

A SEARCH AND RESCUE (SAR) EFFORT WAS INITIATED AND THE OTHER FIVE CREWMEN WERE RECOVERED, HOWEVER, NO BEEPER SIGNALS WERE HEARD, NO PARACHUTE WAS SEEN, AND THERE WERE NO SIGHTINGS OF MAJ GOULD. ON 26 DECEMBER THE SAR EFFORT WAS SUSPENDED. MAJ GOULD'S ESTIMATED LAST KNOWN LOCATION IS IN THE VICINITY OF (GC) UG 800 900. THE AIRCRAFT CRASHED IN THE VICINITY OF (GC) UH 950 020. (REF 1)

DURING THE EXISTENCE OF JCRC, THE HOSTILE THREAT IN THE AREA PRECLUDED ANY VISITS TO OR GROUND INSPECTIONS OF THE SITES INVOLVED IN THIS CASE. THIS INDIVIDUAL'S NAME AND IDENTIFYING DATA WERE TURNED OVER TO THE FOUR-PARTY JOINT MILITARY TEAM WITH A REQUEST FOR ANY INFORMATION AVAILABLE. NO RESPONSE WAS FORTHCOMING. MAJ GOULD IS CURRENTLY CARRIED IN THE PRESUMPTIVE STATUS OF DEAD, BODY NOT RECOVERED.

=== SUBSEQUENT INFORMATION ===

7 February 1985

SOURCE PROVIDED INFORMATION PERTAINING TO HIS 1965 SIGHTING OF ONE CREW MEMBER OF A B-52 AIRCRAFT SHOT DOWN IN THE VICINITY OF "PHOU NONG, BOUAKONH VILLAGE", LAOS. THIS POTENTIALLY CORRELATES TO REFNO 1959. (REF 2)

CASE: 1959

9 May 1990

A SOURCE REPORTED RECEIVING IDENTIFICATION MEDIA FROM AN ETHNIC "LAO FONG" PERSON WHO ALLEGEDLY FOUND THE REMAINS IN XIANGKHOANG PROVINCE, "ABOUT 20 KILOMETERS FROM THE VIETNAM BORDER". IN THE LETTER SENT TO JCRC-LNO, THE SOURCE PROVIDED COPIES OF A DOG TAG WHICH CONTAINED MAJOR GOULD'S NAME, SOCIAL SECURITY NUMBER AND BLOOD TYPE, AND A COPY OF THE BACKSIDE OF A MILITARY IDENTIFICATION CARD WITH MAJOR GOULD'S BIRTH DATE, HEIGHT AND WEIGHT, EYE AND HAIR COLOR, AND BLOOD TYPE. HE ALSO PROVIDED AN ESCAPE AND EVASION MAP SHEET NUMBER. MAJOR GOULD'S INCIDENT OCCURRED WITHIN THE AREA DEPICTED ON THIS MAP SHEET. THE SOURCE PROVIDED A SKETCH OF AN ESISCOPAL CHURCH RELIGIOUS MEDALION; HOWEVER, JCRC RECORDS INDICATE THAT MAJOR GOULD HAD NO RELIGIOUS PREFERENCE. (REF 3)

31 July 1990

SOURCE STATED THAT HE WAS RECENTLY CONTACTED BY A FORMER PATHET LAO SOLDIER FROM XIANGKHOANG PROVINCE, LAOS, WHO CLAIMS TO HAVE THE REMAINS OF A PILOT WHO PARACHUTED OUT OF HIS AIRCRAFT SHORTLY BEFORE IT CRASHED IN 1968. THE SOURCE STATED THAT IDENTIFICATION MEDIA DATA FOUND ON THE PILOTS REMAINS ARE THOSE OF FRANK A. GOULD. THE CORRELATION WITH THIS INCIDENT IS BASED ON NAME, LOCATION AND CIRCUMSTANCES OF LOSS. (REF 4)

13 November 1990

THE SOURCE OF REPORT 90-236 CONTACTED JCRC-LNO ON 27 AUG TO REPORT THAT THE PERSON WHO CLAIMS TO HAVE THE REMAINS OF HENRY L. ALLEN NOW CLAIMS TO ALSO HAVE ACCESS TO THE REMAINS OF MAJOR GOULD. THE CORRELATION WITH MAJOR GOULD IS BASED ONLY ON NAME ASSOCIATION. (REF 5)

SOURCE IDENTIFIED SUB-SOURCE WHO ALLEGEDLY HAD REMAINS, IDENTIFICATION MEDIA AND PERSONAL EFFECTS OF MAJ. GOULD. PERSONAL EFFECTS DESCRIBED AS BOOTS, FLIGHT SUIT, HANDGUN AND ROLEX WATCH. (REF 6)

15 April 1991

SOURCE REPORTS CONTACT WITH A RELATIVE WHO IS ALLEGEDLY IN POSSESSION OF THE REMAINS OF AN AMERICAN WHO DIED IN LAOS DURING THE VIETNAM WAR. SOURCE PROVIDED A PIECE OF PAPER INCLUDING HAND COPIED INFORMATION FROM AN IDENTIFICATION CARD ISSUED TO GOULD FRANK A.. SOURCE HEARD THAT THE REMAINS AND IDENTIFICATION CARD WERE FOUND IN XIANGKHOANG PROVINCE. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA PROVIDED BY THE SOURCE OF THIS REPORT. JCRC HAS RECEIVED PREVIOUS REPORTING RELATED TO MAJOR GOULD'S INCIDENT. (REF 7)

ASE: 1959

SOURCE PROVIDED ADDITIONAL INFORMATION ON ALLEGED REMAINS OF AN AMERICAN AIRCREW MEMBER. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA PREVIOUSLY REPORTED BY THE SOURCE. ADDITIONAL INFORMATION PROVIDED BY THE SOURCE IS THE ALLEGED VIEWING OF MAJOR GOULD'S REMAINS AND PERSONAL EFFECTS. (REF 8)

22 November 1991

SOURCE PROVIDED PERSONAL ID MEDIA FROM THE DOG TAG AND REVERSE SIDE OF THE IDENTIFICATION CARD OF MAJ. GOULD. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA ONLY. (REF 9)

=== REFERENCES ===

7 February 1985

REFERENCES: <1> RPT , AF FORM 484, W/STATEMENTS, 15 MAR 73. <2> REFCON 85-021. <3> JCRC LIAISON BANGKOK TH, 020928Z APR 90. <4> JCRC LIAISON BANGKOK TH, 250926Z MAY 90, '90-236. <5> JCRC LIAISON BANGKOK TH 270917Z AUG 90 '90-424 AND JCRC LIAISON BANGKOK TH 250926Z MAY 90 '90-236. <6> '90-234 '90-430. <7> 91-037, 050513Z FEB 91. <8> '91-061, 150859Z MAR 91. <9> 91-352, JCRC LNO, BKK, TH, 290214Z OCT 91. <10> AMEMBASSY VIENTIANE 070200Z APR 94. <11> DETAILED REPORT OF INVESTIGATION: CASE 1959, CDR JTF-FA 152343Z APR 94/28 FEBRUARY 1972 U-2 IMAGERY OF CRASH SITE.

=== NEGOTIATION ACTIONS ===

29 May 1991

(TALKING POINT) THIS CASE WAS DISCUSSED WITH LAO GOVERNMENT OFFICIALS DURING THE 4 MAY 1991 CONSULTATIVE MEETING IN VIENTIANE.

4 March 1994

CASE NARRATIVE FOR CASE 1959-1-01 WAS PASSED TO REPRESENTATIVES OF THE LAO GOVERNMENT FOLLOWING THE 18-19 FEB 94 CONSULTATIVE MEETING.

=== MAJOR COORDINATE CHANGE ===

23 May 1994

COORDINATE OF CRASH SITE CHANGED FROM 48QUH950020 TO 48QUH862840 AND PROVINCE AND DISTRICT CHANGED FROM HOUAPHAN/HOUAMUANG TO XIANGKHOANG/NONGHET BASED ON WITNESS TESTIMONY AND IMAGERY OF THE CRASH SITE. (REF 11)

CASE: 1959

=== JOINT INVESTIGATION, SURVEY OR EXCAVATION ===

25 April 1994

ON 31 MAR IE1 INVESTIGATED CASE 1959 IN NONG HET DISTRICT, XIANGKHOANG PROVINCE. IE1 INTERVIEWED RESIDENTS IN FIVE VILLAGES LOCATED AROUND THE INCIDENT AREA. INFORMATION WAS FOUND WHICH CORRELATES TO A B-52 AIRCRAFT CRASH SITE, HOWEVER NO INFORMATION WAS OBTAINED THAT COULD BE CORRELATED TO THE LOSS OR DISPOSITION OF THE CASE 1959 CREWMEMBER. BASED ON PAST REPORTING WHICH INDICATES THAT LAO CITIZENS HAVE LOCATED THE CASE 1959 INDIVIDUALS'S REMAINS, THE U.S. TEAM WILL REQUEST LAO GOVERNMENT ASSISTANCE TO FURTHER INVESTIGATE THESE REPORTS IN LOUANGPHABANG PROVINCE, THE REMAINING VALID REQUIREMENT. (REF 10)

Case Narrative

JOINT TASK FORCE - FULL ACCOUNTING

Sept 26, 1994

OGROPHIC/SITE REPORT AS OF 26 SEPTEMBER 1994

Only (1) one live
sighting included

===== BIOGRAPHIC INFORMATION =====

(ACCNO 1994)

Status: (8) DEAD BODY NOT RECOVERED

Name: K ALTON

Date Status assigned: 13 Aug 1979

Nationality	AMERICAN	Race	CAUCASIAN	Blood Chit	DATA
Service	AIR FORCE	Sex	MALE	Blood type	A +
Grade	O4	Hair	BROWN	Complexion	TAN
SSAN	101-24-2560	Eyes	BLUE	Weapon	#
Serial No	\$	Height	71 in / 1.80 mtrs	Weapon No	#
Birth date	22 May 1933	Weight	176 lb / 79.7 kg	Duty pos	RADAR NAV
Home State	NEW YORK	Religion	OTHER	PW Camp	\$

===== SITE INFORMATION =====

	INCIDENT LOCATION (0)	LAST KNOWN LOCATION (1)
Site Type:	CRASH SITE	SECONDARY SITE
UTM:	48QUG862840	48QUG800900
Lat/Long:	194500N / 1035449E	194814N / 1035115E
Country:	LAOS	
Military Region:	3	2
Mission Province:	XIANGKHOANG	
(formerly):	HOUAPHAN	
Mission District:	NONGHET	KHAM
Mission Date:	21 Dec 1972	
Mission Category:	3	
Local Analysis:	None.	Unknown location.

===== JTF-FA ACTIVITY SUMMARY =====

Investigations: Mar 94, Aug 94
 Vessey Case: NO
 Case type: DISCREPANCY
 Survivability: (1) Out of the aircraft at the time of the crash

===== VEHICLE DATA =====

Vehicle Type: B52D	Serial: 0669
Crash Type: Enemy action	Engine Type: J57
Call Sign: STRAW 02	1 Serial: 601076
Year: 56	2 Serial: 608641

===== SPECIAL CHARACTER KEY =====

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.E: 1959

=== CIRCUMSTANCES OF LOSS ===

24 November 1975

ON 21 DECEMBER 1972 MAJ FRANK A. GOULD WAS THE NAVIGATOR IN A SIX MAN CREW ON BOARD A B52-D, (#56669), CONDUCTING A COMBAT BOMBING MISSION IN THE VICINITY OF GRID COORDINATES (GC) WJ 877 245, NORTH VIETNAM, WHEN A SURFACE-TO-AIR MISSILE (SAM) DETONATED UNDER THE AIRCRAFT. THE AIRCRAFT LOST CABIN PRESSURE, ELECTRICAL POWER, AND TWO ENGINES IMMEDIATELY, BUT THE PILOT WAS ABLE TO MAINTAIN CONTROL AND EGRESSED. THE PILOT TRIED TO FOLLOW THE EXIT ROUTE AS CLOSELY AS POSSIBLE, BUT MOST OF THE NAVIGATIONAL INSTRUMENTS WERE DAMAGED AND HE DECIDED TO HEAD FOR THE MEKONG RIVER AND FOLLOW IT VISUALLY.

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A SEARCH AND RESCUE (SAR) EFFORT WAS INITIATED AND THE OTHER FIVE CREWMEN WERE RECOVERED, HOWEVER, NO BEEPER SIGNALS WERE HEARD, NO PARACHUTE WAS SEEN, AND THERE WERE NO SIGHTINGS OF MAJ GOULD. ON 26 DECEMBER THE SAR EFFORT WAS SUSPENDED. MAJ GOULD'S ESTIMATED LAST KNOWN LOCATION IS IN THE VICINITY OF (GC) UG 800 900. THE AIRCRAFT CRASHED IN THE VICINITY OF (GC) UH 950 020. (REF 1)

DURING THE EXISTENCE OF JCRC, THE HOSTILE THREAT IN THE AREA PRECLUDED ANY VISITS TO OR GROUND INSPECTIONS OF THE SITES INVOLVED IN THIS CASE. THIS INDIVIDUAL'S NAME AND IDENTIFYING DATA WERE TURNED OVER TO THE FOUR-PARTY JOINT MILITARY TEAM WITH A REQUEST FOR ANY INFORMATION AVAILABLE. NO RESPONSE WAS FORTHCOMING. MAJ GOULD IS CURRENTLY CARRIED IN THE PRESUMPTIVE STATUS OF DEAD, BODY NOT RECOVERED.

=== SUBSEQUENT INFORMATION ===

7 February 1985

SOURCE PROVIDED INFORMATION PERTAINING TO HIS 1965 SIGHTING OF ONE CREW MEMBER OF A B-52 AIRCRAFT SHOT DOWN IN THE VICINITY OF "PHOU NONG, BOUAKONH VILLAGE", LAOS. THIS POTENTIALLY CORRELATES TO REFNO 1959. (REF 2)

,E: 1959

9 May 1990

A SOURCE REPORTED RECEIVING IDENTIFICATION MEDIA FROM AN ETHNIC "LAO FONG" PERSON WHO ALLEGEDLY FOUND THE REMAINS IN XIANGKHOANG PROVINCE, "ABOUT 20 KILOMETERS FROM THE VIETNAM BORDER". IN THE LETTER SENT TO JCRC-LNO, THE SOURCE PROVIDED COPIES OF A DOG TAG WHICH CONTAINED MAJOR GOULD'S NAME, SOCIAL SECURITY NUMBER AND BLOOD TYPE, AND A COPY OF THE BACKSIDE OF A MILITARY IDENTIFICATION CARD WITH MAJOR GOULD'S BIRTH DATE, HEIGHT AND WEIGHT, EYE AND HAIR COLOR, AND BLOOD TYPE. HE ALSO PROVIDED AN ESCAPE AND EVASION MAP SHEET NUMBER. MAJOR GOULD'S INCIDENT OCCURRED WITHIN THE AREA DEPICTED ON THIS MAP SHEET. THE SOURCE PROVIDED A SKETCH OF AN EPISCOPAL CHURCH RELIGIOUS MEDALION; HOWEVER, JCRC RECORDS INDICATE THAT MAJOR GOULD HAD NO RELIGIOUS PREFERENCE. (REF 3)

31 July 1990

SOURCE STATED THAT HE WAS RECENTLY CONTACTED BY A FORMER PATHET LAO SOLDIER FROM XIANGKHOANG PROVINCE, LAOS, WHO CLAIMS TO HAVE THE REMAINS OF A PILOT WHO PARACHUTED OUT OF HIS AIRCRAFT SHORTLY BEFORE IT CRASHED IN 1968. THE SOURCE STATED THAT IDENTIFICATION MEDIA DATA FOUND ON THE PILOT'S REMAINS ARE THOSE OF FRANK A. GOULD. THE CORRELATION WITH THIS INCIDENT IS BASED ON NAME, LOCATION AND CIRCUMSTANCES OF LOSS. (REF 4)

13 November 1990

THE SOURCE OF REPORT 90-236 CONTACTED JCRC-LNO ON 27 AUG TO REPORT THAT THE PERSON WHO CLAIMS TO HAVE THE REMAINS OF HENRY L. ALLEN NOW CLAIMS TO ALSO HAVE ACCESS TO THE REMAINS OF MAJOR GOULD. THE CORRELATION WITH MAJOR GOULD IS BASED ONLY ON NAME ASSOCIATION. (REF 5)

SOURCE IDENTIFIED SUB-SOURCE WHO ALLEGEDLY HAD REMAINS, IDENTIFICATION MEDIA AND PERSONAL EFFECTS OF MAJ. GOULD. PERSONAL EFFECTS DESCRIBED AS BOOTS, FLIGHT SUIT, HANDGUN AND ROLEX WATCH. (REF 6)

15 April 1991

SOURCE REPORTS CONTACT WITH A RELATIVE WHO IS ALLEGEDLY IN POSSESSION OF THE REMAINS OF AN AMERICAN WHO DIED IN LAOS DURING THE VIETNAM WAR. SOURCE PROVIDED A PIECE OF PAPER INCLUDING HAND COPIED INFORMATION FROM AN IDENTIFICATION CARD ISSUED TO GOULD FRANK A.. SOURCE HEARD THAT THE REMAINS AND IDENTIFICATION CARD WERE FOUND IN XIANGKHOANG PROVINCE. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA PROVIDED BY THE SOURCE OF THIS REPORT. JCRC HAS RECEIVED PREVIOUS REPORTING RELATED TO MAJOR GOULD'S INCIDENT. (REF 7)

2: 1959

SOURCE PROVIDED ADDITIONAL INFORMATION ON ALLEGED REMAINS OF AN AMERICAN AIRCREW MEMBER. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA PREVIOUSLY REPORTED BY THE SOURCE. ADDITIONAL INFORMATION PROVIDED BY THE SOURCE IS THE ALLEGED VIEWING OF MAJOR GOULD'S REMAINS AND PERSONAL EFFECTS. (REF 8)

22 November 1991

SOURCE PROVIDED PERSONAL ID MEDIA FROM THE DOG TAG AND REVERSE SIDE OF THE IDENTIFICATION CARD OF MAJ. GOULD. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA ONLY. (REF 9)

=== REFERENCES ===

7 February 1985

REFERENCES: <1> RPT , AF FORM 484, W/STATEMENTS, 15 MAR 73. <2> REFCON 85-021. <3> JCRC LIAISON BANGKOK TH, 020928Z APR 90. <4> JCRC LIAISON BANGKOK TH, 250926Z MAY 90, 90-236. <5> JCRC LIAISON BANGKOK TH 270937Z AUG 90 90-424 AND JCRC LIAISON BANGKOK TH 250926Z MAY 90 90-236. <6> 90-234 & 90-430. <7> 91-037, 050513Z FEB 91. <8> 91-061, 150859Z MAR 91. <9> 91-352, JCRC LNO, BKK, TH, 290214Z OCT 91. <10> AMEMBASSY VIENTIANE 070200Z APR 94. <11> DETAILED REPORT OF INVESTIGATION: CASE 1959, CDR JTF-FA 152343Z APR 94/28 FEBRUARY 1972 U-2 IMAGERY OF CRASH SITE. <12> CDR JTF-FA 071353Z SEP 94.

=== NEGOTIATION ACTIONS ===

29 May 1991

(TALKING POINT) THIS CASE WAS DISCUSSED WITH LAO GOVERNMENT OFFICIALS DURING THE 4 MAY 1991 CONSULTATIVE MEETING IN VIENTIANE.

4 March 1994

CASE NARRATIVE FOR CASE 1959-1-01 WAS PASSED TO REPRESENTATIVES OF THE LAO GOVERNMENT FOLLOWING THE 18-19 FEB 94 CONSULTATIVE MEETING.

=== MAJOR COORDINATE CHANGE ===

23 May 1994

COORDINATE OF CRASH SITE CHANGED FROM 48QUH950020 TO 48QUG862840 AND PROVINCE AND DISTRICT CHANGED FROM HOUAPHAN/HOUAMUANG TO XIANGKHOANG/NONGHET BASED ON WITNESS TESTIMONY AND IMAGERY OF THE CRASH SITE. (REF 11)

E: 1959

=== JOINT INVESTIGATION, SURVEY OR EXCAVATION ===

25 April 1994

ON 31 MAR IE1 INVESTIGATED CASE 1959 IN NONG HET DISTRICT, XIANGKHOANG PROVINCE. IE1 INTERVIEWED RESIDENTS IN FIVE VILLAGES LOCATED AROUND THE INCIDENT AREA. INFORMATION WAS FOUND WHICH CORRELATES TO A B-52 AIRCRAFT CRASH SITE, HOWEVER NO INFORMATION WAS OBTAINED THAT COULD BE CORRELATED TO THE LOSS OR DISPOSITION OF THE CASE 1959 CREWMEMBER. BASED ON PAST REPORTING WHICH INDICATES THAT LAO CITIZENS HAVE LOCATED THE CASE 1959 INDIVIDUALS'S REMAINS, THE U.S. TEAM WILL REQUEST LAO GOVERNMENT ASSISTANCE TO FURTHER INVESTIGATE THESE REPORTS IN LOUANGPHABANG PROVINCE, THE REMAINING VALID REQUIREMENT. (REF 10)

26 September 1994

FROM 3 - 11 AUG 94, DURING JFA 94-6L, A JOINT U.S./LAO TEAM INVESTIGATED CASE 1959 IN PAK-CU DISTRICT, LOUANGPHABANG PROVINCE. ON 10 AUG 94 THE TEAM INVESTIGATED CASE 1959 IN PAKBENG DISTRICT, OUDOMXAI PROVINCE, LAOS. THE TEAM WAS ATTEMPTING TO FOLLOW UP ON POSSIBLE LEADS IN LOUANGPHABANG AND OUDOMXAI PROVINCES. THE TEAM ATTEMPTED TO LOCATE THREE INDIVIDUALS WHO WERE REPORTEDLY LIVING IN THOSE PROVINCES. THE TEAM WAS UNABLE TO LOCATE THE IDENTIFIED WITNESSES AND NO INFORMATION ASSOCIATED WITH CASE 1959 WAS OBTAINED. NO REMAINS WERE OBTAINED DURING THE INVESTIGATION OF THIS CASE. (REF 12)

Exhibit 15

1666 70.
NARRATIVES28 8366
ON 10/04/93

LA

48QTH310078

PAGE NO. 1

REFNO = 1959

ON 21 DECEMBER 1972 MAJ FRANK A. GOULD WAS THE NAVIGATOR IN A SIX MAN CREW ON BOARD A B52-D, (#56669), CONDUCTING A COMBAT BOMBING MISSION IN THE VICINITY OF GRID COORDINATES (GC) WJ 877 245, NORTH VIETNAM, WHEN A SURFACE-TO-AIR MISSILE (SAM) DETONATED UNDER THE AIRCRAFT. THE AIRCRAFT LOST CABIN PRESSURE, ELECTRICAL POWER, AND TWO ENGINES IMMEDIATELY, BUT THE PILOT WAS ABLE TO MAINTAIN CONTROL AND EGRESSED. THE PILOT TRIED TO FOLLOW THE EXIT ROUTE AS CLOSELY AS POSSIBLE, BUT MOST OF THE NAVIGATION INSTRUMENTS WERE DAMAGED AND HE DECIDED TO HEAD FOR THE MEKONG RIVER AND FOLLOW IT VISUALLY.

APPROXIMATELY 25 MINUTES AFTER BEING HIT, THE AIRCRAFT STARTED TO LOSE POWER AND TO HAVE CONTROL PROBLEMS. AT 2235 HOURS, WHEN AT 19000 FEET, THE AIRCRAFT HAD ONLY TWO ENGINES AND WAS HAVING MORE CONTROL PROBLEMS. THE BA ILIOUT SEQUENCE WAS INITIATED OVER MOUNTAINOUS JUNGLE TERRAIN, JUST OVER THE LAOTIAN BORDER. MAJ GOULD HAD SUSTAINED INJURIES TO HIS RIGHT ARM AND LEG FROM THE SAM. HIS EJECTION WAS NOT OBSERVED, HOWEVER, THE CO-PILOT DID HEAR HIS EJECTION SEAT FIRING SEQUENCE.

A SEARCH AND RESCUE (SAR) EFFORT WAS INITIATED AND THE OTHER FIVE CREWMEN WERE RECOVERED, HOWEVER, NO DEEPER SIGNALS WERE HEARD, NO PARACHUTE WAS SEEN, AND THERE WERE NO SIGHTINGS OF MAJ GOULD. ON 26 DECEMBER THE SAR EFFORT WAS SUSPENDED. MAJ GOULD'S ESTIMATED LAST KNOWN LOCATION IS IN THE VICINITY OF (GC) UG 800 900. THE AIRCRAFT CRASHED IN THE VICINITY OF (GC) UH 950 020. (REF 1)

DURING THE EXISTENCE OF JCRC, THE HOSTILE THREAT IN THE AREA PRECLUDED ANY VISITS TO OR GROUND INSPECTIONS OF THE SITES INVOLVED IN THIS CASE. THIS INDIVIDUAL'S NAME AND IDENTIFYING DATA WERE TURNED OVER TO THE FOUR-PARTY JOINT MILITARY TEAM WITH A REQUEST FOR ANY INFORMATION AVAILABLE. NO RESPONSE WAS FORTHCOMING. MAJ GOULD IS CURRENTLY CARRIED IN THE PRESUMPTIVE STATUS OF DEAD, BODY NOT RECOVERED.

JCD =01 CLASS=U DATE=85/02/07

SOURCE PROVIDED INFORMATION PERTAINING TO HIS 1969 SIGHTING OF ONE CREW MEMBER OF A B-52 AIRCRAFT SHOT DOWN IN THE VICINITY OF "PHOU NONG, BOUAKONG VILLAGE", LAOS. THIS POTENTIALLY CORRELATES TO REFNO 1959. (REF 2)

JCD =01 DATE=90.05.09

A SOURCE REPORTED RECEIVING IDENTIFICATION MEDIA FROM AN ETHNIC "LAO FONG" PERSON WHO ALLEGEDLY FOUND THE REMAINS IN XIANGKHOANG PROVINCE, "ABOUT 20 KILOMETERS FROM THE VIETNAM BORDER". IN THE LETTER SENT TO JCRC-LN O, THE SOURCE PROVIDED COPIES OF A DOG TAG WHICH CONTAINED MAJOR GOULD'S NAME, SOCIAL SECURITY NUMBER AND BLOOD TYPE, AND A COPY OF THE BACKSIDE OF A MILITARY IDENTIFICATION CARD WITH MAJOR GOULD'S BIRTH DATE, HEIGHT AND

*Narrative of case
10-4-93 - Oct 4, 93
Only (1) one live
sighting included*

GHT, EYE AND HAIR COLOR, AND BLOOD TYPE. HE WAS IN THE SCENE AND EVASION MAP SHEET NUMBER. MAJOR GOULD'S INCIDENT OCCURRED WITHIN THE AREA DEPICTED ON THIS MAP SHEET. THE SOURCE PROVIDED A SKETCH OF AN ESIS. MAJOR GOULD WORE A MILITARY CHURCH RELIGIOUS MEDALION; HOWEVER, JCRC RECORDS INDICATE MAJOR GOULD HAD NO RELIGIOUS PREFERENCE. (REF 3)

=01 DATE=90.07.31

SOURCE STATED THAT HE WAS RECENTLY CONTACTED BY A FORMER VIET CONHET LAO SOLDIER FROM XIANGKHOUANG PROVINCE, LAOS, WHO CLAIMS TO HAVE THE REMAINS OF A PILOT WHO PARACHUTED OUT OF HIS AIRCRAFT SHORTLY BEFORE IT CRASHED IN THE AREA. THE SOURCE STATED THAT IDENTIFICATION MEDIA DATA FOUND IN THE PILOT'S REMAINS ARE THOSE OF FRANK A. GOULD. THE CORRELATION FOR THIS INCIDENT IS BASED ON NAME, LOCATION AND CIRCUMSTANCES OF LOSS. (REF 4)

=01 DATE=90.11.13

THE SOURCE OF REPORT 90-236 CONTACTED JCRC-LNO ON 27 AUGUST REPORTING THAT THE PERSON WHO CLAIMS TO HAVE THE REMAINS OF MAJOR L. ALLEN NOW CLAIMS TO ALSO HAVE ACCESS TO THE REMAINS OF MAJOR GOULD. THE CORRELATION WITH MAJOR GOULD IS BASED ONLY ON NAME ASSOCIATION. (REF 5)

SOURCE IDENTIFIED SUB-SOURCE WHO ALLEGEDLY HAD REMAINS, IDENTIFICATION MEDIA AND PERSONAL EFFECTS OF MAJ. GOULD. PERSONAL EFFECTS DESCRIBED AS BOOTS, FLIGHT SUIT, HANDGUN AND ROLEX WATCH. (REF 6)

D =01 DATE=91.04.15

SOURCE REPORTS CONTACT WITH A RELATIVE WHO IS ALLEGEDLY IN POSSESSION OF THE REMAINS OF AN AMERICAN WHO DIED IN LAOS DURING THE VIETNAM WAR. SOURCE PROVIDED A PIECE OF PAPER INCLUDING A HAND COPIED INFORMATION FROM AN IDENTIFICATION CARD ISSUED TO GOULD FRANK A.. SOURCE HEARD THAT THE REMAINS AND IDENTIFICATION CARD WERE FOUND IN XIANGKHOUANG PROVINCE. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA PROVIDED BY THE SOURCE OF THIS REPORT. JCRC HAS RECEIVED PREVIOUS REPORTING RELATED TO MAJOR GOULD'S INCIDENT. (REF 7)

SOURCE PROVIDED ADDITIONAL INFORMATION ON ALLEGED REMAINS OF AN AMERICAN AIRCREW MEMBER. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA PREVIOUSLY REPORTED BY THE SOURCE. ADDITIONAL INFORMATION PROVIDED BY THE SOURCE IS THE ALLEGED VIEWING OF MAJOR GOULD'S REMAINS AND PERSONAL EFFECTS. (REF 8)

CD =02 DATE=85/02/07
 REFERENCES: <1> RPT AF FORM 484, W/STATEMENTS, 15 MAR 73.
 <2> REFCON 85-021. <3> JCRC LIAISON BANGKOK TH, 020928Z
 APR 90. <4> JCRC LIAISON BANGKOK TH, 250926Z MAY 90 90-236.
 <5> JCRC LIAISON BANGKOK TH 2
 70937Z AUG 90 90-424 AND JCRC LIAISON BANGKOK TH 250926Z MAY
 90 90-236. <6> 90-234 8 90-430. <7> 91-037, 050513Z FEB
 91. <8> 91-061, 150859Z MAR 91. <9> 91-352, JCRC LNO,
 BKK, TH, 290214Z OCT 91.

JCD =03 DATE=91.05.29
 [TALKING POINT] THIS CASE WAS DISCUSSED WITH LAO GOVERNMENT
 OFFICIALS DURING THE 4 MAY 1991 CONSULTATIVE MEETING IN VIENTIANE.

JCD =01 DATE=91.11.22
 SOURCE PROVIDED PERSONAL ID MEDIA FROM THE DOG TAG AND REVERSE
 SIDE OF THE IDENTIFICATION CARD OF MAJ. GOULD. CORRELATION IS
 BASED ON IDENTIFICATION MEDIA DATA ONLY. (REF 9)

JOINT TASK FORCE - FULL ACCOUNTING

Case Narrative

22 November 1994

BIOGRAPHIC/SITE REPORT AS OF 22 NOVEMBER 1994

Only (2) one

Live Sighting included ===== BIOGRAPHIC INFORMATION =====

CCNO 1994)	Status: (8) DEAD BODY NOT RECOVERED
ALTON	Date Status assigned: 13 Aug 1979

Nationality	AMERICAN	Race	CAUCASIAN	Blood Chit	DATA
Service	AIR FORCE	Sex	MALE	Blood type	A +
Grade	O4	Hair	BROWN	Complexion	TAN
SSAN	101-24-2560	Eyes	BLUE	Weapon	#
Serial No	\$	Height	71 in / 1.80 mtrs	Weapon No	#
Birth date	22 May 1933	Weight	176 lb / 79.7 kg	Duty pos	RADAR NAV
Home State	NEW YORK	Religion	OTHER	PW Camp	\$

===== SITE INFORMATION =====

	INCIDENT LOCATION (0)	LAST KNOWN LOCATION (1)
Site Type:	CRASH SITE	SECONDARY SITE.
UTM:	48QUG862840	48QUG800900
Lat/Long:	194500N / 1035449E	194814N / 1035115E
Country:	LAOS	
Military Region:	3	2
Mission Province:	XIANGKHOANG	
(formerly):	HOUAPHAN	
Mission District:	NONGHET	KHAM
Mission Date:	21 Dec 1972	
Mission Category:	3	
Local Analysis:	None.	Unknown location.

===== JTF-FA ACTIVITY SUMMARY =====

Investigations: Mar 94, Aug 94
 Vessey Case: NO
 Case type: DISCREPANCY
 Survivability: (1) Out of the aircraft at the time of the crash

===== VEHICLE DATA =====

Vehicle Type: B52D	Serial: 0669
Crash Type: Enemy action	Engine Type: J57
Call Sign: STRAW 02	1 Serial: 601076
Year: 56	2 Serial: 608641

===== SPECIAL CHARACTER KEY =====

= Item has been researched but data cannot be obtained.
 \$ = Item is not applicable to this case.
 @ or Blank = Data for item is unknown or not available.

ASE: 1959

=== CIRCUMSTANCES OF LOSS ===

24 November 1975

ON 21 DECEMBER 1972 MAJ FRANK A. GOULD WAS THE NAVIGATOR IN A SIX MAN CREW ON BOARD A B52-D, (#56669), CONDUCTING A COMBAT BOMBING MISSION IN THE VICINITY OF GRID COORDINATES (GC) WJ 877 245, NORTH VIETNAM, WHEN A SURFACE-TO-AIR MISSILE (SAM) DETONATED UNDER THE AIRCRAFT. THE AIRCRAFT LOST CABIN PRESSURE, ELECTRICAL POWER, AND TWO ENGINES IMMEDIATELY, BUT THE PILOT WAS ABLE TO MAINTAIN CONTROL AND EGRESSED. THE PILOT TRIED TO FOLLOW THE EXIT ROUTE AS CLOSELY AS POSSIBLE, BUT MOST OF THE NAVIGATIONAL INSTRUMENTS WERE DAMAGED AND HE DECIDED TO HEAD FOR THE MEKONG RIVER AND FOLLOW IT VISUALLY.

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=== SUBSEQUENT INFORMATION ===

7 February 1985

SOURCE PROVIDED INFORMATION PERTAINING TO HIS 1965 SIGHTING OF ONE CREW MEMBER OF A B-52 AIRCRAFT SHOT DOWN IN THE VICINITY OF "PHOU NONG, BOUAKONH VILLAGE", LAOS. THIS POTENTIALLY CORRELATES TO REFNO 1959. (REF 2)

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SOURCE STATED THAT HE WAS RECENTLY CONTACTED BY A FORMER PATHET LAO SOLDIER FROM XIANGKHOANG PROVINCE, LAOS, WHO CLAIMS TO HAVE THE REMAINS OF A PILOT WHO PARACHUTED OUT OF HIS AIRCRAFT SHORTLY BEFORE IT CRASHED IN 1968. THE SOURCE STATED THAT IDENTIFICATION MEDIA DATA FOUND ON THE PILOTS REMAINS ARE THOSE OF FRANK A. GOULD. THE CORRELATION WITH THIS INCIDENT IS BASED ON NAME, LOCATION AND CIRCUMSTANCES OF LOSS. (REF 4)

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SOURCE PROVIDED PERSONAL ID MEDIA FROM THE DOG TAG AND REVERSE SIDE OF THE IDENTIFICATION CARD OF MAJ. GOULD. CORRELATION IS BASED ON IDENTIFICATION MEDIA DATA ONLY. (REF 9)

22 November 1994

SOURCE PROVIDED A PHOTOCOPY OF AN ALLEGED DOG TAG BELONGING TO AN AMERICAN LIVING IN LOUNGNAMTHA PROVINCE, LAOS. THE NAME, SERVICE NUMBER, BLOOD TYPE AND RELIGIOUS PREFERENCE ON THE TAG CORRELATE TO REFNO 1959. SIMILAR INFORMATION ASSOCIATED WITH THIS CASE HAS BEEN PREVIOUSLY REPORTED. (REF 13)

ALIVE
1774

=== REFERENCES ===

7 February 1985

REFERENCES: <1> RPT , AF FORM 484, W/STATEMENTS, 15 MAR 73. <2> REFCON 85-021. <3> JCRC LIAISON BANGKOK TH, 020928Z APR 90. <4> JCRC LIAISON BANGKOK TH, 250926Z MAY 90, 90-236. <5> JCRC LIAISON BANGKOK TH 270937Z AUG 90/ 90-424 AND JCRC LIAISON BANGKOK TH 250926Z MAY 90/ 90-236. <6> 90-234 & 90-430. <7> 91-037, 050513Z FEB 91. <8> 91-061, 91-092 MAR 91. <9> 91-352, JCRC LNO, BKK, TH, 290214Z OCT 91. <10> AMF VIENTIANE 070200Z APR 94. <11> DETAILED REPORT OF INVESTIGATION 1959, CDR JTF-FA 152343Z APR 94/28 FEBRUARY 1972 U-2 IMAGERY SITE. <12> CDR JTF-FA 071353Z SEP 94. <13> JTF-FA RPT 94-197 VIENTIANE, 091003Z NOV 94.

=== NEGOTIATION ACTIONS ===

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ON 31 MAR IE1 INVESTIGATED CASE 1959 IN NONG HET DISTRICT, XIANGKHOANG PROVINCE. IE1 INTERVIEWED RESIDENTS IN FIVE VILLAGES LOCATED AROUND THE INCIDENT AREA. INFORMATION WAS FOUND WHICH CORRELATES TO A B-52 AIRCRAFT CRASH SITE, HOWEVER NO INFORMATION WAS OBTAINED THAT COULD BE CORRELATED TO THE LOSS OR DISPOSITION OF THE CASE 1959 CREWMEMBER. BASED ON PAST REPORTING WHICH INDICATES THAT LAO CITIZENS HAVE LOCATED THE CASE 1959 INDIVIDUALS'S REMAINS, THE U.S. TEAM WILL REQUEST LAO GOVERNMENT ASSISTANCE TO FURTHER INVESTIGATE THESE REPORTS IN LOUANGPHABANG PROVINCE, THE REMAINING VALID REQUIREMENT. (REF 10)

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1. Exhibit 17

7

Warren: As you know this information was released to the Gould family.

Since then they have questions concerning this report and JTF feels DPMO should be responding as this report is a "live" sighting, albeit hearsay at best. Nevertheless, JTF inquired whether an LSI would be tasked or what follow-up actions we could take to determine the veracity of this report. The Air Force will likely redirect the Gould family questions to us next week. Soutchay can assist for starters & then we'll go from there. Sony Beach.

Has a resource who runs
Lonang Nam Tha, if my
memory serves me correctly.

There is no source file yet
but I suspect much of this
Gould reporting is
connected to a cast of
characters who all know
each other. Recommend
we talk to Soutchay.

L,
Poling

Exhibit 18

ANALYSIS DATA REPORT

PAGE 1

FILE SEARCH WAS BASED ON CENTER POINT OF 19400N 1035900E FOR 25 NAUTICAL MILES

SOURCE NAME	SIGET	REPORTED INFORMATION	DOC	LAT	LONG	UTM	DISTANCE FROM CNTRY	CATEGORY	ACTION OFFICER
POW-F/B 1 BLX US MUNG SEN 72			7209	192718N	1035943E	UG940550	16.70NM	LA	WG
POW-F/B COMETE C.E. KUISHARI			65	192918N	1035923E	UG170550	14.69NM	LA	WG
POW-F/B 3 PMS NONG BET 61-62			62	192918N	1035923E	UG940550	14.69NM	LA	WG
GRV-F/B 1 US GRV XIANG KIQUANG			8002	193539N	1033736E	UG506070	21.80NM	LA	BS
POW-F/B 12 US PMS PHA BONG, LA			80	200800N	1035500E	UB867264	24.28NM	LA	WG
POW-F/B 2-4 US NONG BET 7801			7801	192918N	1035957E	UG950550	14.72NM	LA	WG
POW-F/B 50 US TDAO LA 26AFB82			8204	200000N	1040000E	UB954116	16.02NM	LA	WG
GRV-B5Y 3 GRVS HUANG KHAM 67			6709	193748N	1033358E	UG490710	24.71NM	LA	BS
CAMP SOURCE FOR PMS IN LA/VN			68	193821N	1033358E	UG049490	24.57NM	LA	SV
POW-F/B 1 PM CAPTURED LA 66			6604	195345N	1041042E	VB140590	14.69NM	LA	WG
POW-F/B 1 CAU NAM KHIAN 72/73			73	192800N	1035700E	UG898526	16.10NM	LA	WG
GRV-B5Y 2 GRVS 6 U/I DT'S LAOS			69	193820N	1033327E	UG483720	24.70NM	LA	SV
GRV-B5Y 2 GRVS E105 NONG BET 72			72	193023N	1035957E	UG950570	13.64NM	LA	SV
POW-B5Y 1 PM B52 PHOU NONG 65			65	194500N	1033900E	VGS11837	18.84NM	LA	BS
POW-B5Y 6-12PMS NONG BET CAVE76			75	192900N	1035900E	UG940550	14.99NM	LA	SV
POW-B5Y 6 PMS NONG BET AREA 82			82	192900N	1035900E	UG933544	14.99NM	LA	SV
POW-F/B 1 CAU NONG BET 71			71	192918N	1035958E	UG950550	14.72NM	LA	SV
CRS-B5Y SKYRAIDER CRS NONG BET			72	192625N	1035741E	UG910500	17.45NM	LA	BS
POW-B5Y 2 US PHOU NONG MT 7812			7812	193000N	1033900E	UG583565	23.46NM	LA	BS
GRV-F/B 1GRV B52 XIENG KIQUANG			67	193748N	1033358E	UG490710	24.71NM	LA	BS
GRV-B5Y 2GRVS C47 HUANG KHAM 68			6812	193834N	1033426E	UG505724	23.74NM	LA	BS
POW-F/B 1 CAU HUANG KHAM 780079			79	193700N	1033500E	UG520690	23.64NM	LA	WG
POW-B5Y 6 PM'S HUANG SEN 68			68	192900N	1035900E	UG933544	14.99NM	LA/VN	SV
POW-F/B 1 US NONG BET JAIL 62			62	192818N	1035923E	UG940550	15.69NM	LA	WG
POW-B5Y 1 PM XIENG KIQUANG 69			76	193506N	1033519E	UG520660	24.00NM	LA	BS
GRV-B5Y 3 GRVS XIENG KIQUANG				193507N	1033702E	UG520660	22.50NM	LA	BS
GRV-B5Y 1 GRV XIENG KIQUANG				193748N	1033409E	UG500710	24.19NM	LA	BS
POW-B5Y 20/20ED XIENG KIQUANG			82	192000N	1035900E	UG932378	23.98NM	LA	SV
POW-B5Y 5 US BAN SINOOP UNDATE				192000N	1035900E	UG932378	23.98NM	LA	SV
POW-B5Y UNK#PMS SON LAH2-TDAO			8201	200000N	1040000E	SON LA	16.02NM	VN	GS
POW-F/B 2 CAU HUANG SEN 69			69	192400N	1040900E	VG100450	22.09NM	VN	GS
GRV-B5Y 1 GRV JET HUANG SEN				192355N	1040833E	VG100450	21.99NM	VN	JB
GRV-B5Y 1 GRV E105 CRS NONG BET			74	192900N	1035900E	UG933544	14.99NM	LA	BS
GRV-F/B 6PMSACRS NAM CAN STREAM				192356N	1040834E	VG100450	21.99NM	VN/LA	BS
POW-B5Y 1 AMERICAN BAN CHAKLAA			7304	192633N	1035155E	UG809500	18.67NM	LA	SV
POW-B5Y 6 CAU PHUONG LONG KHAN			83	192830N	1040225E	UG953535	15.82NM	LA	SV

Sources

Sources

Exhibit 18

ANALYSIS DATA REPORT

SOURCE FILE SEARCH WAS BASED ON CENTER POINT OF 194400N 1035900E FOR 25 NAUTICAL MILES

CASE
NUMBER

SOURCE NAME

SIGHT

REPORTED INFORMATION

DGS

LAT

LONG

UTM

DISTANCE
FROM

CNTRY

CATEGORY

ACTION
OFFICER

POW-BST 7 PMS XIENG KHONG CAVE
CRS-F/E 7 SAW CRS WIG BAY FONG 79
POW-BST 200-300 PMS LAOS EAR70
POW-F/E 5 CAU NEAR NONG HET-85
POW-BST 15 US NEAR HUANG SEN
GRV-BST 1 GRV/CRS NR NONG HET
POW-BST 2 US BIDDING NR NONG HET
POW-BST 12 (3RFS) NR NONG HET
POW-BST 1M LIVING/HUANG SEN VN
POW-BST 2 PMS NONG HET 80
POW-BST 500S IN VN/3 OT S SE27
POW-BST 1000S IN LAOS 77
POW-BST 40-50 US NONG HET CAVE
GRV-BST 2 GRVS CRS NR NONG NET
POW-F/E 1 CAU CAVE PHOTOS LAOS
POW-BST 20PMS-VN-CONST SITE
GRV-BST 2 RMS POSS F-105
GRV-F/E 1 PMS-T-28 AIRCRAFT
POW-BST 2 US NONG HET TO HVN
POW-BST 2/3 PMS XIENG KHUANG
CRS-BST 3 T-28 A/C XIANGKHONG
GRV-BST 2GRV56A/C NONG HET LA
POW-F/E 9PMS-CAVE IN BOUAPHAN
POW-BST UNKNOWN IN CAVE
POW-BST 12US IN CAVE-NONG HET
GRV-BST 1RMS XIANGKHUANG
GRV-BST 1GRV C-47 XIANGKHUANG
GRV-F/E 1 RMS NONG HET DISTRICT
POW-BST PMS+OT/BRIDSON (BE)
GRV-BST 1RMS/CRS PHOU SUA
POW-BST 1PHAY RXIXIENGKHUANG73
GRV-F/E 8 RMS RADAR SITE LA 68
POW-BST 10 US PHU 81
POW-BST 4 PH'S IN CAVE -NET
POW-BST 2 PH NR NONG HET CAVE
GRV-BST 1RMS/XIANGKHUANG-69

192000N 1035900E U9932378 23.98NM LA/VN UNDER ANALYSIS SV
200000N 1040000E U8954116 16.02NM LA BS
192000N 1035923E U9932378 23.98NM LA UNDER ANALYSIS SV
19218N 1035923E U9940550 14.69NM LA/VN UNDER ANALYSIS SV
192400N 1040800E U9950548 21.71NM VN UNDER ANALYSIS GS
192912N 1035988E U9950548 14.82NM LA BS
192938N 1035611E U884555 14.68NM LA UNDER ANALYSIS SV
192000N 1035900E U9932378 23.98NM LA UNDER ANALYSIS SV
192500N 1035900E U9933544 14.99NM LA/VN NON-PRISONER SV
192000N 1035900E U9932378 23.98NM LA UNDER ANALYSIS SV
200100N 1040900E 19.42NM VN UNDER ANALYSIS SV
193700N 1033900E U8584694 20.08NM LA UNDER ANALYSIS SV
193000N 1040000E U9950562 14.02NM LA UNDER ANALYSIS SV
193000N 1040200E U9940560 14.27NM LA BS
193820N 1033346 U4490720 24.59NM LA UNDER ANALYSIS GS
195000N 1041000E U9950550 11.96NM VN BS
192912N 1035988E U9950548 14.82NM LA BS
193142N 103447E U679596 18.40NM LA BS
192500N 1035849E U9950560 14.16NM LA-VN UNDER ANALYSIS SV
192000N 1035900E U9932378 23.98NM LA SV
193821N 1033395E U4490720 24.57NM LA BS
192918N 1035988E U9950550 14.72NM LA BS
195335N 1034237E U650640 18.14NM LA/VN SV
19509N 1034137E U6530640 18.60NM LA SV
192918N 1035988E U9950550 14.72NM LA UNDER ANALYSIS SV
193439N 1034755E U6740650 14.00NM LA SV
193158N 1035122E U8800600 14.01NM LA SV
192918N 1035988E U9950550 14.72NM LA SV
192900N 1035900E 14.99NM LA UNDER ANALYSIS LN
192318N 1035246 U820440 21.56NM LA SV
192452N 1034433E U6680470 23.47NM LA HG
195336N 1034311E U8660640 17.70NM LA SV
192000N 1035900E U9932378 23.98NM LA UNDER ANALYSIS SV
192858N 1040546 U9944527 17.02NM LA/VN SV
192950N 1035849E U9950560 14.16NM VN VT
193958N 1033408E U9500750 23.74NM LA SV

ANALYSIS DATA REPORT

SOURCE FILE SEARCH WAS BASED ON CENTER POINT OF 194400N 1035900E FOR 25 NAUTICAL MILES

CASE
NUMBER

SOURCE NAME

SIGHT REPORTED INFORMATION

DOS

LAT

LONG

UTM

DISTANCE
FROM

CNTRY

CATEGORY

ACTION
OFFICER

CRS-HSY 1A/C XIENG KHOUANG-LA69 69 193000N 1035000E UG75563 LA BS
 POM-E/B PH IN XIANG KHOUANG (P) 72 192928N 1035900E UG75563 LA UNDER ANALYSIS
 POM-HSY 2 RMS HELD IN NONG BET 192900N 1035900E UG933544 LA UNDER ANALYSIS
 GRV-HSY RMS IN HONG BET-LACS 19318N 1035958E UG950550 SV
 CRS-E/B JET CRS IN LACS-72 7201 193748N 1033335E UG490710 LA SV
 84 193506N 1033554E UG530660 JP
 CAMP CAMP INFO ONLY SEE-27 81 195652N 1041407E VZ000570 LA JP
 CRS-HSY CRS IN BAN BAN-67 67 193800N 1033400E UG497713 LA SV
 GRV-HSY RMS-07/F A GOULD(XX) 194400N 1035900E UG934821 LA SV
 GRV-HSY RMS-07/F A GOULD(XX) 194400N 1035900E UG934821 LA SV
 GRV-HSY RMS-07/F A GOULD(XX) 194400N 1035900E UG934821 LA SV
 GRV-HSY RMS-07/F A GOULD(XX) 68 194400N 1035900E UG934821 LA SV
 POM-HSY 1 PM ICRS NONG BET-67 67 192951N 1035923E UG940560 LA SV
 GRV-E/B PH IN NONG BET-73 73 192921N 1035944E UG946551 LA SV
 GRV-E/B 3 RMS/1 MOVED (U/1) DTJ BOMC 85 192349N 1040836E X5850950 BS
 CRS-HSY 21 CRS BAN HUANGKHAM+PICO BO 200090N 1040260E LA SV
 NO POW PILOT RESCUED BAN BAN 70-71 193748N 1033335E UG490710 LA SV
 GRV-HSY CRS IN NONG BET-65 65 192918N 1035958E UG950550 LA SV
 POM-HSY PW HELD IN NONG BET-69 69 192918N 1035958E UG950550 LA SV
 CAMP CAMP INFO ONLY SEE-27 70 192919N 1040019E UG96550 LA JP
 GRV-HSY RMS-07/A C SHINE(XX) 193000N 1041000E VZ125561 VN LA
 GRV-HSY 2RMS/CRS (F-4C) LANG CU VS-70 70 192349N 1040836E VZ107448 VN LA
 POM-E/B 3PRISONERS+3RMS HUANG NONG BET 9108 193000N 1035500E UG933562 CV
 POM-HSY 3 CAU PILOTS RE-ED NONG BET 84 192918N 1035958E UG950550 LA MG
 GRV-HSY JET CRS NONG BET 85 192000N 1035900E UG932378 LA MG
 POM-HSY 5 PILOTS WEST HUANG SEN IN 80 80 192356N 1040908E VZ110450 VN MG
 POM-HSY 2 HELD CAVE BAN NONG HAE DECTS 7512 192500N 1040759E VZ090470 VN MG
 POM-HSY 5 ALLIED AMER HELD - VN 80 192356N 1040908E VN MG
 POM-HSY INFO ON POW HELD IN KY SON 192300N 1040900E VS MC
 GRV-HSY 2 CRS SITES NONG BET 192000N 1035900E UG932378 LA/VN CV
 POM-HSY CRS KEO XEA AREA 72 192333N 1034900E UG755445 LA CV
 CAMP NAM KHIAN PRISON FEB 70-JAN 73 192558N 1035806E UG917488 LA CV
 GRV-HSY CRS KEO XEA AREA, 72 192333N 1034900E UG755445 LA CV
 GRV-HSY 4 RMS (VM) 2 RMS (CB) DT 21 192400N 1040800E ZAZ35884 VN/CB SB
 GRV-E/B 2 RMS CRS KY SON VILLAGE 72 192400N 1040800E VZ090451 VN SB
 POM-HSY 9 HELD NEAR BAN BAN 193755N 1033352E UG955712 LA/VN CV

UNCLASSIFIED

ANALYSIS DATA REPORT

SOURCE FILE SEARCH WAS BASED ON CENTER POINT OF 194400N 1035900E FOR 25 NAUTICAL MILES

CASE NUMBER	SOURCE NAME	SIGHT	REPORTED INFORMATION	DOS	LAT	LONG	UTM	DISTANCE FROM	CNTRY	CATEGORY	ACTION OFFICER
SC			POW-HSY 4 CAUCASIANS NONG HET. 1950	90	192900N	1035900E	UG333544	14.99NM	LA		CV

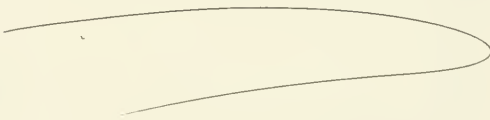
TOTAL NUMBER OF RECORDS PRINTED HERE... 109



Back Piece of Plastic

embedded with ink from

Col. Frank A. Gould's Military Id. Card



Mr. DORNAN. This committee takes a short recess.

[Recess.]

Mr. DORNAN. The subcommittee will come back to order.

Pardon me, but you could tell from the bells that we had back-to-back votes. We are not even going to consider the Presidential veto until December 1, because we are going to work on a new continuing resolution, which will make the other one moot.

[Witnesses sworn.]

Mr. DORNAN. Thank you, gentlemen. Please be seated.

I understand that Colonel Webb has a prepared statement, and the other gentlemen from the Armed Forces Identification Review Board do not, that you are the three gentlemen that evaluated Case No. 1600—

Colonel KELLY. Yes, sir.

Mr. DORNAN. Mrs. Davis is not back in the room, but I just saw her in the hall and she will be back in a second.

It is always good to see you, Colonel Webb. Please proceed with your statement.

STATEMENT OF LT. COL. JOHNIE E. WEBB, U.S. ARMY, RETIRED, DEPUTY TO THE COMMANDER, CENTRAL IDENTIFICATION LABORATORY, HAWAII [CILHI]; ACCOMPANIED BY CAPT. JAMES C. GROVER, U.S. NAVY; COL. MICHAEL J. KELLY, U.S. AIR FORCE; AND COL. JOHN M. KENNEY, U.S. ARMY, ARMED FORCES IDENTIFICATION REVIEW BOARD MEMBERS

Colonel WEBB. Mr. Chairman, I do not actually have a prepared statement, but after hearing some of the comments that were made by previous panels, I just wanted to start out by saying that we still have the procedures in place today that Ann talked about that were developed and signed in 1987. Those procedures are the procedures that we follow.

I would submit to you that if indeed what I heard Mrs. Davis say, if I understood her correctly, that all of the family members, and it was all of those family members which were the primary next-of-kin, are those authorized to direct disposition of the remains. There should have been no reason that a forensic expert of their choice could not have examined those remains.

It is something that does occur and we fully support that when the families request it, and I am not sure what happened to preclude that from happening in this case. But I just wanted to let you know that the procedures are still in existence and that the procedures still allow for that examination.

Mr. DORNAN. Thank you.

Let us go right into it with our triple service board here on the April 22, 1970, crash in Laos of the AC-130 gunship. I would like all three to answer in some way or other, so I will just arbitrarily say let us go from my left to right, starting with the senior service, U.S. Army.

What in terms of remains and material from the crash site of 1600 were you able to establish as individual identification with any of the 10—actually, let me do this with you, please, Colonel Webb.

What were you actually able to establish in the way of individual identification, if any, and did you approach the DNA subject at all? That has received a lot of attention on the airwaves because of the O.J. Simpson tragedy—for the two victims, not for him. Were there any teeth fragments that you could identify? And why wasn't a DNA test done, if it was not done, as the family requested?

You will recall that when I came to your facility—and I can remember the date, because it was on Pearl Harbor Day, with President Bush; I had my wife Sally with me and she was quite impressed when I asked her what was in this one casket and you asked me not to talk about it, and I did not.

But now that it is 4 years later and it had the apparent acquiescence; you said, well, you took a long painful pause, generally, and you said it is a tooth. I said, all right, I am sworn to secrecy, I am not going to beat up on you. Why? And you took me over and showed me the x ray of a young man's very complicated expensive inlay filling, and then you showed me the photograph of the tooth, and it was a perfect, albeit complicated match. I said did the parents accept this, and you said they do. I said that is it, then, and I was about to go home.

So I understand and was understanding and, as you recall, I never mentioned it publicly until this moment; that is 4 years ago and a few weeks, so I have been very understanding. So answer that triple-part question about individual identification, any bone or teeth fragments match-up, and what about the DNA.

Colonel WEBB. Mr. Chairman, there were no individual identifications that were made from the remains recovered from this crash site. The teeth are tooth fragments that were recovered. We were not able to match those with any of the dental records, the dental x rays that provide conclusive proof that it was from one individual manifested on-board the aircraft.

The bone fragments were simply that, bone fragments, some 1,400-plus that were collected. They were fragmented to the point that, of the 1,400 that were recovered, we could identify as to the bone from which that fragment came, about 400 of those. Over 1,000 of the fragments were so small, we could only say that they were human and that we could not identify the specific bone that they had come from, and we provided an inventory of those remains, identifying the number of cranial fragments, the number of arm bones, et cetera, that is in our report.

So the answer is no, we were not able to make any individual identifications, either from the bone or from the teeth that were present.

To go to your DNA question, DNA was considered, and there was a lot of discussion among the scientific staff and myself and others about the use of DNA. It was considered. It was the assessment of the scientists who worked this case that because of the small fragmentation of the bone and the fact that most of those bones had been subject to burning as a result of the crash, the probability of obtaining DNA was very small. Based on that—

Mr. DORNAN. Not impossible, but remote?

Colonel WEBB. Yes, sir, that is correct. I will not say that it is not possible. It may be possible. But the technology where we were in February when we recommended this—and we are improving all

the time—the probability was very slim that we would be able to obtain DNA from these bone fragments. Therefore, DNA was not attempted.

I have read in press accounts and other places that it was not attempted because of the cost factor or because of other reasons. Cost had nothing to do with the decision that was made not to attempt to do DNA. We attempt to do DNA on those cases where we think that we will have a good chance of obtaining DNA that can be sequenced and then compared to DNA obtained from a maternal relative.

Mr. DORNAN. The largest bone fragment, if you had gone for DNA, you would then have to go to all 10 families to try and get the match.

Colonel WEBB. That is correct.

Mr. DORNAN. On the mother's side, a blood relative.

Colonel WEBB. That is correct.

Mr. DORNAN. And unless something really sick is going on here where they are sprinkling other human beings' bones at a crash site that had already been scoured, the chances are you feel in your heart of hearts, Johnnie, you probably would have, at great cost at least with the largest fragment, come up maybe with somebody?

Colonel WEBB. There is a possibility, that is correct.

Mr. DORNAN. Here is what I want to ask you. It is not even in my prepared questions. Maybe it is a subjective thing, but you are the scientist and you would know better.

We lost a bomber aircraft—I do not even want to identify the type, even though there are no cameras here, some parent or some widow or child might be hurt; this was a stateside crash—and it flew directly into a mesa. I remember the Air Force, when I asked about the identification process, they said there were only 10 pounds of human remains from the crewmen—there was not a very large number of crewmen, but more than two—from the crewmen involved that flew straight into this mesa, a small black hole right on the side of this big mesa, 10 pounds of remains.

Just for comparative purposes, what would these dried out bone chips weigh that were buried last Thursday?

Colonel WEBB. Mr. Chairman, that would be a guess on my part, because we did not weigh those. My guess is 5 pounds.

Mr. DORNAN. Here is the question I am building up to. Is this about what you would expect at a crash site, if all 10 crew members were still on the airplane when it impacted, given the passage of 25 years? In other words, was there any suspicion on anybody's part that this crash site had been tampered with, even to the extent of some of the bodies being removed, those that were least burned or least traumatized by the crash being packaged up, casketed and taken up to Hanoi to a warehouse or wherever they did, or buried somewhere else, or to compound the speculation, four prisoners bound together, all that intelligence dialog back and forth, and either killed or died on the trail going up to Hanoi?

In other words, a 25-year crash site, given the humidity, the conditions—I do not know what altitude it was in Laos, but it has everything from jungle to cold mountains, pretty high, savannah, everything. Is this amount, about 5 pounds, all that would have remained, if the 10 people had perished in that crash site?

Colonel WEBB. It is comparable with the remains that we have recovered from other crash sites of this type.

Mr. DORNAN. In other words, if you were in an F-4 phantom with two crew members, it impacted hard, you would find after 25 years 20 percent of what you have here, or in that range?

Colonel WEBB. In that range, but again every crash site is unique, every one is different, and depending on the circumstances, the angle of the crash, the severity of the fire that exists, if the bodies remain in the fuselage or the cockpit where the intense fire is, a lot of things are going to have an impact on what you find at a crash site.

Mr. DORNAN. What I am driving for with a suspicious nature of the Vietnamese—I have insulted them enough here today, and more to come—they are liars. The whole essence of being a Communist is to lie to advance the cause, and what their cause is right now is getting money from the West, not to reform like Ukraine or Russia or Hungary or the Slovak Republic, but to do what Castro or North Korea is trying to do, use the West and the West's money to keep a total Communist dictatorship in power or as in the case of North Korea, the world's first royal dictatorship, passing it on to a son.

If they came back to this crash site about to give permission for an investigation, what I am cynically thinking—and I am trying to think of a way to say this with family members sitting here—to say, well, let's get a couple of sets of remains of Americans that we know were buried from a different plane crash in a different area, but close, and let's break up the remains and sprinkle them around the crash site. This other crash was high-impact, high-fire, so we are just going to spread them around, and that maybe you have two sets of remains here, three or four or five.

Now, you have written off—not you, but the policy people wrote off 10 people based on those specific individual identifications. Let me put it in a simple question. And I have watched how effectively and respectfully you work with the tiniest of remains down to a tooth.

When you laid all of these out on all of those litters that you have on those A-frames in your lab, did you attempt to play a very difficult mosaic puzzle to determine how much bone matter was duplicated, that you really had a large number of crewmen, and not just one or two deliberately destroyed bones to give the impression of the full crew?

Colonel WEBB. Yes, we did. And when I talked about the inventory of the remains, that is one of the things that the anthropologist did; and in looking at his report, as he identified the fragments, for example, he identified that we had 14 fragments from the tibia. So as we go through, we can see that is probably the most telling, that while again we cannot say that these are from X number of individuals, we can say that there were 14 tibia fragments that we could identify that were recovered. So, yes, we did try to lay that out, to say what can we actually determine from the remains.

Quite honestly, Mr. Chairman, we had to say, which we said in our report, from the bones recovered, we see no duplication which would indicate that there was more than one individual, if we look

only at the bone fragments themselves, and we state that in our report.

Mr. DORNAN. You see no indication that there was more?

Colonel WEBB. If we look at the biological bones, trying to say can we take the bones that we have recovered and is there anything that we can say is an absolute duplication, which would mean there was more than one individual represented, we cannot say that.

Mr. DORNAN. Right, but how do you get up to 10, or was an assumption—was there an assumption that it was 4 or more, 5 or more, 6 or more? You cannot say for sure, given roughly 5 pounds of very small fragments—and I have seen the photographs a couple of weeks ago, and they are here again today—you cannot say with any certainty that all 10 crew members are accounted for in that amount of fragments?

Colonel WEBB. That is correct. From the bones themselves, we cannot say that, and that is the reason our policy says, when we have a situation such as this one where we cannot make that determination and the only option that we have to deal with those remains and provide as much information to the families or we make a recommendation for a group, is that we go to those agencies that are charged with the responsibility to provide information, was there a chance of survivability, have you had any live sightings that have been correlated with one of these individuals that is still unresolved. We send a request to DPMO and JTF-FA, asking for that type of information. When they come back to us with that information and say no indication that anyone survived other than the one individual rescued, that type of information, that is the preponderance of evidence, and then we go forward with our recommendation.

Mr. DORNAN. You have always been very straight with me, Colonel, so let me ask you a question just for my own knowledge here about tracking these things. I think you were in the room most of this morning, were you not?

Colonel WEBB. Yes, I was.

Mr. DORNAN. Did you know these two French Mirage pilots were missing for 77 days?

Colonel WEBB. No, I did not.

Mr. DORNAN. Did you know, that Colonel?

Colonel KENNEY. No, sir.

Mr. DORNAN. Did you know that, Colonel?

Captain GROVER. No, sir.

Mr. DORNAN. Did you, Colonel?

Colonel KELLY. No, sir.

Mr. DORNAN. General Wold, did you know that?

General WOLD. Yes, I did.

Mr. DORNAN. Did either of you know it? The ones in Pentagon tend to track a brother fighter pilot.

The only point I am making by that is if you were a family member and you see this situation; it is not carried in the American press. This is a major story in Paris, in Marseille, in Leon. It is just like a Scott O'Grady story with this horrible twist, that these people were in the hospital through day 52. What did that mean,

they were beaten near to death on the ground? Why would they be in a hospital, when they both were seen to have good parachutes?

Now, I went on the House floor after I met with Mrs. Davis and one of her sons and some other folks that are here, family members and supporters from the American Legion and Vietnam Vets of America. I met with them in the Rayburn Room, and I said I do not have enough time to really go over this case in depth with you. Ginger Davis showed me the dog tags and said it might be a counterfeit copy, this cottage industry of evil that goes on over there. I said I am going to go out on the floor and do a 1-hour special order and I am going to be groping in the dark here and I will probably say some things that are wrong, but I want to see if I cannot stimulate some interest in this.

So I go out on the floor and I mention some things that I had only just learned from them, nailing down the name, Sgt. Eugene Fields, the man who did bail out and was rescued; and this is the wonder of C-SPAN and modern television and this information highway. A neighbor of the Fields tape-recorded my special order and took the tape down and showed it to Mrs. Fields. She called Al Santoli on my staff and said he would like to meet with the family members and tell them that some of the rumor mill has compounded his story and that it was Acachi's position that he had passed and that he had not looked into the flight deck and seen the deserted flight deck on autopilot, with the navigators' seats and the two pilots' seats empty, indicating that they would have bailed out. They would not have done that before the crew, anyway.

Then I mentioned the two—we would like to go back in history and rewrite call signs, change them all to Peacemaker or Peacekeeper, but Killer is not a bad call sign, if you are trying to get a job done when you are in the thick of combat. But Killer II had used the plural, an easy mistake. If you say one chute, I would say on the air, "The crew is bailing out."

We all know the World War II footage where you hear the live radio broadcasts between liberators and flying fortresses, "Come on, guys, get out of there, get out of there, come on, the crew is bailing one, one, there's two, there's three," and then it stops because the spinning of centrifugal force is too rough, and nobody else gets out. So that is an honest mistake. I have not heard from Killer II or Killer I two-seat F-4 phantoms, but the Air Force is trying to help me locate them so I can hook them up with the families.

But we get a call, Mr. Santoli on my staff, from a helicopter pilot who sends his records to verify, yes, he was sheep-dipped, he called it, into Air America, CIA secret war operations, the door gunner, they get on a Huey, guns are on the floor, all that covert stuff. Once in the air, put the 50 caliber on the gun mounts, and out they go scrambling on the 23d or 24th of April, and he remembers clearly—now, he sends us his medical records, that he has had much delayed stress syndrome, so all this is subject to analysis—that he remembers the pilot saying there they are. Two days after this crash, four prisoners lashed together, and the pilot says, "Don't fire, don't fire, they will kill the prisoners." And they are actually taking the prisoners and using them as human shields, moving around whatever the door gunner's position was, so they never did fire. Now, I am trying to analyze that.

Here is my point: I understood while the military was still up-tight after Operation Homecoming, February and March of 1973, raw intelligence data, are these Communists who are bred to lie, are they lying to us, are they holding back? We know they had Tucker Gould in Saigon and tortured him. You were probably there when we opened up his box, when I was with a Frenchman in 1977; and there was \$265 and change, his trenchcoat back from the cleaners in Saigon, all of his clothing, and they had tortured him in a Saigon jail. Screams were heard for nights, and they finally sent him back. Again, why would they send him back, and not others? Always trying to weigh all the variables here.

I have not talked to this sergeant who was the door gunner, but he claims he saw these four prisoners and that they had to pull away, and then they disappeared up the trail somewhere. Now, that would indicate, coming back to my long question, that four could have been taken prisoners, burned or not burned, and that the remains you have are of six. Do you see what I mean? It is possible that there were prisoners taken. So the families have to weigh this, not foolishly clinging to little shreds of hope, as I said earlier, tough minded. You have met them all, the ones that have come through. They are tough into this. They just want the facts, ma'am.

Now, the other one that contacted us was one of the classmates from pilot training, and I know what that is like for a pilot who meets somebody from pilot training and they compare notes, what are you doing, and he is a sandy pilot, an A-1 courageous down-in-the-dust. General Wold knows all about that, trying to perform in these rescue operations.

No sooner had he had a few drinks and gotten to renew this pilot training friendship, then the next day he hears that Ad Lib is down, his friend that he has just seen for the first time in years is now down. He is scrambled and he goes out and vaguely remembers the next day or 2 days later that they were scrambled on a crash site where there were known prisoners to be captured, bound up on the trail. But his memory is vague and he just remembers thinking, "My God, is that my friend? Am I actually going out in a sandy support strafing mission to help a friend and try and rescue him," and then it just disappears in his memory after that.

My point in all this long exposition is, this is why we need an office, a missing persons office, an act that ties together search and rescue, legal assistance, which we give to military rapists and killers. They get a defense attorney at taxpayer and U.S. military expense. We need this office to be an advocate for the families, tied in with the CIL, to have—this sounds so stupid, but one-stop shopping, you know, one place for the families that ties all this together, and again not in big massive combat situations.

I was just on the floor; I went over with Andy Jacobs who joined as a 17-year-old and went to Korea as a marine, was shot, wounded and discharged all before his 19th birthday. He said the 2d Division colors were lost in Korea, which I never knew; and that when he went up to a reservoir that he mentioned, not Cho Sin, which is a familiar name, he said they were putting American bodies on trucks like cordwood, trying to get them back behind the lines before they were overrun and lost the remains of the men. They are lost to this day.

So this is one of the reasons why, with this particular incident, 1600, that if there were prisoners taken and they disappeared up the trail, and Acachi was one of them and Fisher was one of them; and that is where his gun ended up, or did they just come and take the more exotic items away from the plane crash? A C-130 is a big four-engine airplane and there were a lot of men on that airplane, and there must have been a big crash site; it wasn't like a straight-in plummet from 20,000 feet, it was already at low level, probably below 5,000.

I don't remember the report. In the report, is there what altitude they were at when they were hit? It could have been a hard impact, but not necessarily straight in. So all the material would have been scattered for the war effort or for museums or for blackmail purposes, which they have been doing to the French for decades. That, Colonel Webb, is why I pursued the line that there is nothing definitive that all 10 people, by name or even as a group, are accounted for.

And that is why I want to ask you, since policy is not your job, what is the policy now to have a final rendering of death in action? What is the category? It is not body recovered. It is a determination from bone fragments that have not been identified, that this is probably a certain deal, and then you have a ceremony for all 10 crewmembers. Explain to me what you are being told as a policy change.

Colonel WEBB. This is something that group interments happened in the military for years going back to World War II. You can walk around the Punch Bowl out in Hawaii and other places and find group interments from air crews that were lost during World War II and various other times.

I understand what you are saying, but let me go back to reinforce our position. We have had a case, another 130 that was shot down, and the DPMO analysts told us at that time there was a very weak correlation that either two individuals or two bodies were tied behind a truck and dragged away from the site. Based on that very weak correlation, we did not make a recommendation for group interment. We still have the remains out in our lab in Hawaii, because, as you have said, we do not know, we cannot make a determination.

Mr. DORNAN. How similar to these remains?

Colonel WEBB. Very similar.

Mr. DORNAN. Small fragments?

Colonel WEBB. Small fragments. However, in this recovery, we were able to dentally identify 9 of the 14 crewmembers.

Mr. DORNAN. Is that a 1972 case?

Colonel WEBB. I think it is. So we were able to identify nine through dentition. We could not identify the other five. So, as you have said, what was returned to the family were the teeth that we could identify. All the bone fragments and the other teeth we could not identify are still in our lab, because there was this correlation that maybe two bodies were tied behind a truck and dragged away from the site.

Mr. DORNAN. That site was investigated by our teams?

Colonel WEBB. That site was recovered by our teams, that is correct, as was this site, the 1600 site. Again, we make the request

to the agencies that are responsible for providing the intelligence to us, what is the probability of someone surviving, no one surviving, and based on that information—even though, as I have stated very clearly, from the bones we cannot make a determination that there are 10 people there, no way—based on that, we think from a scientific standpoint—not being politicized as was mentioned earlier, we do not think that we have been politicized—we think from a scientific standpoint, here are remains that were recovered from this site. There is definitely some certainty that these are the remains of some of those crewmembers.

Therefore, we need to go forward from a scientific standpoint and let the family know—they know we have been to the crash site—what were the results. Here are the results. We have recovered these remains, they are fragmented remains, this is all we can tell you about those remains, and from a scientific standpoint, here is what we have been able to do.

Mr. DORNAN. Colonel Webb, if Mr. Pickett would allow me, and then I will turn the questioning over to him. Let me go down the line here starting with Colonel Kenney, Captain Grover, and Colonel Kelly, if you will listen and fill in anything that he does not happen to think of, since you do not have written testimony, tell me how your Armed Forces Identification Review Board operates, and use the Case 1600 as a case study. Walk us down how you handle your evaluation. What is that badge over your name tag? Is that LAO?

Colonel KENNEY. This?

Mr. DORNAN. Yes.

Colonel KENNEY. This is my regimental crest.

Mr. DORNAN. It looked from here like it was three elephants, the Laotian symbol. Go ahead.

Colonel KENNEY. Mr. Chairman, what I did in this case was I received a packet, the case file from the Central Joint Mortuary Affairs Office, and I reviewed the case file. I do not remember positively, because I do not record it, but, as I recall, I had this for a couple of days, and after that review I made my decision that I recommended, approved it.

Mr. DORNAN. How many days?

Colonel KENNEY. I had it for a couple of days, sir. I did not spend all day 2 days reviewing it, but I spent quite a bit of time.

Mr. DORNAN. Is this an additional duty for you? I notice you are Signal Corps, so you might only do this once or twice a year or what?

Colonel KENNEY. No, sir. I have been on this board for a little over 4 months, I believe, and I have had like 10 cases in that period of time.

Mr. DORNAN. Would it involve cases like a C-12 crashing somewhere in the States, a civilian—

Colonel KENNEY. All cases from identification are mainly from Southeast Asia.

Mr. DORNAN. Are from Southeast Asia.

Captain Grover, is this an additional duty for you?

Captain GROVER. Yes, sir, it is.

Mr. DORNAN. How long has that been?

Captain GROVER. I have been a Navy primary voting member for about 8 months, sir.

Mr. DORNAN. Just let me jump forward. Colonel Kelly, how long have you?

Colonel KELLY. Since about April 1994, sir.

Mr. DORNAN. So you have got a little more than 2½ years experience. So you all got together. How big is the board?

Colonel KENNEY. Just the three of us.

Mr. DORNAN. Just the three of you?

Colonel KENNEY. Yes, sir.

Mr. DORNAN. And you will come together only when you are reviewing a case?

Colonel KENNEY. Sir, what we have done is we have not come together unless there is something that we question together that we need to discuss on a particular case.

Mr. DORNAN. Right. Now, you were all listening when Ann Mills Griffith testified earlier that this was a change in policy. Was that new to you, that it was a change in policy?

Captain GROVER. To meet individually?

Mr. DORNAN. No, no, no, to come up with an identification, sign off on the recommendation of the CIL, without any identification, positive identification of an individual.

Colonel KENNEY. I was not aware of that.

Mr. DORNAN. For some reason, I did not think you were.

Let me go to Mr. Pickett for questions, and then I will come back to Colonel Webb.

Mr. PICKETT. Thank you, Mr. Chairman.

Just to follow up, does the data come to you in your capacity on this review board with any kind of recommendation or preliminary finding?

Colonel KENNEY. Yes, sir, it does; it comes with a recommendation from the Central Identification Laboratory in Hawaii, and there are also three or more professional consultants, anthropologists, forensic anthropologists that make recommendations, also.

Mr. PICKETT. So at that point the decision is whether or not you concur with what they have decided?

Colonel KENNEY. That is correct, sir.

Mr. PICKETT. And you base your decision on the accompanying information and data that comes to you in the packet that you referred to?

Colonel KENNEY. Yes, sir.

Mr. PICKETT. And each of the other two members conduct it in the same way?

Captain GROVER. Yes, sir, that is correct.

Colonel KELLY. Yes, sir.

Mr. PICKETT. Do you have any data that you can use, rely upon or call upon that is not presented to you by the CIL?

Captain GROVER. Sir, when we receive the package, to our understanding, it is complete with all information that is available.

Colonel KELLY. It includes the information from DPMO, from the joint task force for accounting, and by the time it comes to the board members, the case has already been presented to the family members who are given the opportunity to provide additional infor-

mation or to suggest additional materials that may be lacking in the case file.

Mr. PICKETT. I see. So it would be highly unusual that the data that accompanies the packet would not support the conclusion or the recommendation or the preliminary finding that has already been made? It would be very exceptional for you to be able to on your own decide that the data did not support the finding or recommendation?

Colonel KELLY. That is correct, sir.

Colonel KENNEY. Yes, sir.

Mr. PICKETT. I want to leave that for a moment and go back to where we started on this issue that Mrs. Davis brought up concerning her request for a second opinion being denied. I am familiar with that, because she did come to speak with me, we wrote a letter on her behalf, and we got this response back from the Department of the Air Force saying that Mrs. Davis was denied this request, since next of kin are authorized to request a second opinion only when an individual identification has been recommended.

In the case of group remains, there are no individual recommended identifications. Mrs. Davis was advised that three independent forensic consultants had reviewed the case and concurred with the recommendation for the group remains made by the Central Identification Laboratory in Hawaii.

I am not trying to put you on the spot, Colonel Webb. I know this is something that Mrs. Davis feels very, very strongly about, and if she is entitled, she and the other family members are entitled to a second opinion, I feel certain that she would want to pursue that.

I am not asking you to give me a yes or no answer today, because I know this may involve some other matters. But I would very much appreciate it if you would review this matter and respond to me and let me know what your conclusion would be on it, whether she is entitled to have that second opinion.

Colonel WEBB. Yes, sir.

Mr. PICKETT. Going back, coming back to Case 1600, when the three review board members were conducting your examination and review of Case 1600, was there anything among the data that you reviewed that would lead you to believe that there was any question about the preliminary finding in the case?

Colonel KENNEY. There was some information in there that would lead one to believe, if it was not countered, that the recommendation was not valid, but it was all countered. There was something in there about the alleged photos of Lieutenant Colonel Rowley, I believe Life magazine, but it indicated that two agencies of the government that were experts in that matter had reviewed them and indicated that they were not his photographs. So those kinds of things were in there, but they were rebutted, basically.

Mr. PICKETT. What about the DPMO assessment that the Vietnamese had had control of the crash site? Was that detailed in the material that you had so that you could evaluate what, if anything, may have happened as a result of the Vietnamese controlling the crash site?

Colonel KENNEY. There was one comment in there about the Vietnamese, as I recall.

Colonel KELLY. If I could answer that, sir, to the best of my recollection, a comment was made in there that the Vietnamese had knowledge of it, but I am not aware of any comment in the case file that said that they controlled the area.

Mr. PICKETT. Captain Grover, do you have any recollection of this?

Captain GROVER. As I recall, during the interview of some of the local villagers many years later, they did say that some of the Vietnamese troops came to the crash site. I believe that is what it says in the record. But I am not sure what you mean by control of the crash site. There is nothing in the record that says the Vietnamese troops came to the crash site and removed bodies or anything like that.

Mr. PICKETT. Was there any reference to the time interval between the crash and the time that the troops were reported to have come?

Captain GROVER. I do not recall that, sir, no.

Colonel KENNEY. As I recall, it said that they were operating in the area near the crash site, in the vicinity.

Mr. DORNAN. While he is looking into that, let me ask one thing about Fisher, Mr. Pickett. I do not believe his dog tag was found at the crash site. His gun, his sidearm, his pistol was found in Hanoi, or his revolver. He was last seen alive by Eugene Fields, as Sergeant Fields bailed out, and then I understand that Sergeant Fields—I am going to talk to Sergeant Fields, but I understand when he hit the cold air, and he was burned, that he passed out. I don't know when he recovered, on the ground from impact or right before he hit the ground. But he saw Fisher alive in the aircraft before he bailed out. Did you say—I was not clear—that Fisher's dog tags were found at the crash site?

Colonel KENNEY. Was not.

Mr. DORNAN. Was not found. That confirms what I thought.

Can I pursue something here, Mr. Pickett, while you are doing that?

Mr. PICKETT. Yes, Mr. Chairman.

Mr. DORNAN. Let me just ask a general question. Do you O-6's have any common background that they recruited you to do this? Did you find any common thread in your careers, or is this just your name was submitted by some superior officer that respected you and thought you would do good work? Did this come as a total surprise to you, Colonel Kenney?

Colonel KENNEY. Yes, sir.

Mr. DORNAN. It did?

Colonel KENNEY. Yes, sir.

Mr. DORNAN. The same with you, Captain Grover?

Captain GROVER. No, sir, not exactly. My predecessor had this position and it kind of passed down through heritage, and the criteria is that you be an aviator and that if you have that experience, you have flown combat missions in Southeast Asia. Those people at the Bureau of Naval Personnel are getting harder and harder to find.

Mr. DORNAN. They are.

Captain GROVER. I have not had service since Southeast Asia. However, I am an aviator, and so the job fell to me.

Mr. DORNAN. Colonel Kelly.

Colonel KELLY. In my case, sir, no. My predecessor, like the captain, my predecessor also had the position and there is no requirement in the Air Force that it be held by a rated officer.

Mr. DORNAN. Right. I do not consider myself one of the more senior members around here yet. Maybe after the next election, if I survive. But I did notice these two Medal of Honor winners as I visited their grave sites over the last week; they both joined the Army after I had been elected to Congress in 1976, and they died as senior sergeants in their mid-thirties. So it is getting scarce to find people with Vietnamese experience, and the people that have it are like General Fogelman, four stars, and they are just too valuable to take them away from their CINC responsibilities.

What is your principal job, Colonel Kenney?

Colonel KENNEY. Mr. Chairman, I am the Chief of Combat Support Division in the Army's Personnel Command—

Mr. DORNAN. Command Support for war?

Colonel KENNEY [continuing]. For the Enlisted Personnel Management, correct.

Mr. DORNAN. Right. And your main job, Captain Grover?

Captain GROVER. Sir, I am the Director of Administration and inspector general for the Chief of Naval Personnel.

Mr. DORNAN. And that is this heritage line of this Identification Review Board?

Captain GROVER. Yes, sir.

Mr. DORNAN. Colonel Kelly.

Colonel KELLY. Sir, I am the Chief of Resource Management for Air Force Services.

Mr. DORNAN. What is your badge? I cannot recognize it from here.

Colonel KELLY. It is the occupational badge for Air Force Services, sir.

Mr. DORNAN. Let me ask about the Harley Hall case, the matter of the Blue Angels, the last man shot down on the day the Paris Peace Accords were signed, the so-called peace accords, never lived up to in any article, codicil, or paragraph that I can tell on the Communist side. Were you around, any one of the three of you, to work on Captain Hall's case?

Captain GROVER. No, sir.

Colonel KENNEY. Sir, I don't recall.

Mr. DORNAN. I did ask you about Harley Hall, did I not, when you testified here on June 28?

Colonel WEBB. Mr. Chairman, I did not testify then.

Mr. DORNAN. Let me come back to Harley Hall and let me ask you about the Baron 52 call sign of Peter Cressman. Did you work on that case? It is another C-130, is it not, Johnnie?

Colonel WEBB. Yes, it is.

Mr. DORNAN. An EC-130, right, or was it another gunship?

Colonel WEBB. Let me think about it. No, I do not believe it was a 130, it was a C-47.

Mr. DORNAN. An EC-47?

Colonel WEBB. Right. That is correct.

Mr. DORNAN. Remember I stood at your board and your entranceway very proudly and showed you a young lieutenant I

graduated with, that according to him I saved him from drowning off Sarasota, FL. He did not bother to tell me he could not swim when we went into the surf. He was shot down by a Mig in an EC-47 right near the DMZ, Bernie Conklin, and his remains were returned years later. But I saw so many names of friends on that board that you have put up proudly to say here are the men we have identified.

Let me ask right now, as Mr. Pickett gets ready with another question: You heard Ann Mills Griffiths testify that since normalization, you have been able to accomplish one positive remains identification. Is that correct?

Colonel WEBB. Of those remains that have been returned since that time.

Mr. DORNAN. Right. And prior to that, since the relaxation of the trade embargo, six added to this one, and that would be seven. Or maybe it is inclusive. It does not matter, one important case, but six or so.

Here is my question: I have been reading, not as the chairman, just general reading, that dozens of remains have been coming back. Then I remember reading one press story of animal remains in there and lots of remains that are not occidental. I remember you teaching me at the lab years ago, 15 or 16 years ago, how you could tell someone of African heritage, someone of Caucasian heritage, no way to differentiate between a Caucasian subgroup like Hispanic-American, but how you would tell—you said that your trained people could pick up a skull and within an instant say that this is Caucasoid, Negroid or—

Colonel WEBB. Or Mongoloid.

Mr. DORNAN [continuing]. Or Mongoloid within seconds. The remains you have been getting back, start me down the line. What do you do with them when you identify them as the sacred remains of some mother's son? Do you send them back?

Colonel WEBB. Yes, send them back. As the process goes in Vietnam, as remains are recovered by our recovery teams which are going out to the sites, those remains, once the recovery is completed, those remains are then secured in a container which is sealed, and turned over to the Vietnamese.

In addition, any remains which are received by the Vietnamese from locals or any unilateral turnovers are transported to Hanoi. In Hanoi, after each joint field activity is completed, we have a joint forensics review, and in Hanoi we review those remains that our teams have recovered or that have been turned over to our teams or that the Vietnamese have unilaterally provided to us. At that point, we make the determination of which remains should be brought back to our lab in Hawaii for further study. Those that are obviously not Americans are not brought back.

So the first examination of the remains will be by the joint forensics review in Hanoi, both scientists from our laboratory in Hawaii and scientists from the Vietnamese.

Mr. DORNAN. How do you make sure you are not dealing with an Asian-American?

Colonel WEBB. It is a very tough call. If we have dentition, we are very concerned about Asian-Americans and we carry the dental records, our forensics carry the dental records with them of those

Asian-Americans that are still unaccounted for from the Vietnam war. If we do not have dentition, then it becomes very difficult to make that call. If there is any doubt on the part of the forensic scientists in Hanoi, the remains will be brought back to Hawaii for further study to make sure we do not leave an American behind.

Mr. DORNAN. Excellent.

Colonel WEBB. Once the remains are received in Hawaii, they are assigned, if there are teeth, this case is assigned to one of our forensic odontologists and the skeletal bones will be assigned to one of our forensic anthropologists for examination. It is a little different operation. The anthropologists do their study completely in the blind. They do not have any information at all about the individual that is associated with the remains.

If there is a name association, the dentists do something a little different, in that they immediately go to the records for that individual, the dental records, and begin comparing the dentition return with the dental records, dental x rays of the individual associated.

Mr. DORNAN. Now, if I were a Vietnamese that graduated from the Ho Chi Minh School of lying and how to make suckers out of these gullible westerners, let's treat the Americans the way we did the French and just batter them around from pillar to post, I would learn very quickly that if you returned 80 sets of remains and only one was United States, you would get a very favorable story, it would appear in the Hawaii papers and ricochet around the world, and then the story of Col. Johnnie Webb sending back—let me add one footnote—animal remains. You do not put those in a case and send them back?

Colonel WEBB. No, we do not.

Mr. DORNAN. So you take out the limited number of animal remains and then you respectfully seal up in a case all the ones that go back. I know I have not read except inside the intelligence community when this happens. So have there been bursts, which is sort of my impression, where they have sent you a load of material of human remains and they get a positive story, and then we never see the follow-up story? I will tell you, I was shocked when I learned, Johnnie, that you had only been able to positively identify six or seven people since the trade embargo was lifted.

Colonel WEBB. Yes, sir, I accept that. But as we look at this, the remains that are being recovered now are those that are very difficult to identify. In the 1980's, when there were large numbers of remains being turned over by the Vietnamese, those by comparison were much simpler to identify. They were a lot more complete as far as totality of the skeletal remains, it made the identification process easier.

Now the identification process is extremely complex and very difficult, many of the cases requiring DNA analysis to be able to reach a conclusion as to the identity of the remains. So it is taking time. You will see that it is not uncommon to take 1 to 2 years, when we have DNA, to be able to put together that documentation to support the identification, understanding that we had a moratorium on the use of DNA up until this summer. So there has been a significant backlog of cases—

Mr. DORNAN. I did not understand that, a moratorium on the use of DNA?

Colonel WEBB. We had a moratorium on the use of DNA as a primary means of identification.

Mr. DORNAN. Since when?

Colonel WEBB. This went into effect in about 1992, I am guessing now, late 1992 or 1993.

Mr. DORNAN. Why?

Colonel WEBB. There had been a case that a Government lab had done the analysis on the bone, the family had asked an outside laboratory to do a DNA analysis on the remains, the outside laboratory came up with a different sequence. We needed to ensure that we were following the proper procedures in using the DNA.

A couple of things happened. We elected to send samples from those remains to the British Home Office, which is where the real DNA begin, and the British Home Office did an analysis. At the same time, the Defense Science Board appointed a task force of DNA experts to look at the feasibility of using mitochondrial DNA to identify ancient remains.

It took time for the Defense Science Board to come to their conclusions and get their report drafted and out. It is now out. It says, yes, mitochondrial DNA is a good means of identification for ancient remains. The British Home Office came back with a sequence that matched the sequence obtained from our Government laboratory, and, based on that, the moratorium was lifted and we began using DNA this summer, began processing DNA this summer as a means of identifying remains.

Mr. DORNAN. Now, the Cressman case is coming up. There is going to be a burial soon of Peter Cressman.

Colonel WEBB. I understand. I have been told that the Air Force has scheduled that for I believe January 8.

Mr. DORNAN. And Mrs. Cressman does not want to proceed until there is more certain identification?

Colonel WEBB. I am not knowledgeable. I have not talked to the families at all.

Mr. DORNAN. Mr. Pickett, I am learning a lot here. I did not know some of this. This is fascinating.

Mr. PICKETT. Just a followup question. The information that I was reciting concerning the control of the crash site with regard to No. 1600 was taken out of what appears to be a communication that originated from the Office of the Secretary of Defense and was communicated to the CIL office, actually. The question would be whether or not a copy of this document had been included with the materials that went to the individual board members.

Colonel WEBB. Yes, sir, it had been included. If you look at the top above the from line, the number there is 2100 Zulu December 1993. That message was included in the report that we submitted with our recommendation.

Mr. PICKETT. Do any of the board members recall reviewing this summary of the events of the crash?

Colonel KENNEY. Yes, sir.

Captain GROVER. Yes, sir.

Colonel KELLY. Yes, sir.

Mr. PICKETT. And on the second page it says within 3 days of loss, American intelligence analysts began receiving wartime Vietnamese reports of a DC-130 being shot down over Laos. So that would indicate that within 3 days they were aware of the crash?

Colonel KELLY. Yes, sir.

Mr. PICKETT. It goes on further down and says, "This document contains an entry stating that (1) a C-130 was shot down by elements of the 2nd Company's 6th Battalion," and then it goes on to report the details of it.

Going back to the issue of control of the site and what impact that would have on a judgment call as to what the remains that were identified actually constituted.

Colonel KENNEY. As I recall, when I looked at the case, the question was was the remains that were presented in this report, were they of these 10 crew members on the aircraft? A summation of all the evidence that I considered that was presented in the report to me indicated that it was, not necessarily that that was all that was left.

Mr. PICKETT. Do the other two gentlemen want to comment?

Colonel KELLY. I would agree with that, sir.

Mr. PICKETT. OK.

Captain GROVER. Yes, sir.

Mr. PICKETT. Thank you very much. That is all I have, Mr. Chairman.

Mr. DORNAN. Just to come back for a second to the Cressman case, not that you do not know about this because it is policy, Colonel Webb, but the two wives of—is that an F-4? I think it is an F-4—no, no, the EC-47 that Evelyn Cressman and Mary Joe Mategov—

Colonel WEBB. Mategov.

Mr. DORNAN. Mategov, M-a-t-e-g-o-v, that they do not want an identification at this point.

My final question is on DNA. It has received a lot of press because of the horror of the whole O.J. Simpson trial—I am trying to train myself to keep the names of the victims alive—the murders of Ron Goldman and Nicole Simpson. One of the jurors making themselves look very foolish said, "And what was all that DNA stuff? That was a waste of time. It was just a lot of gobbledegook." Well, that is unfortunate, because a lot of people do not think it is so, particularly if you are like myself, an entry-level anthropologist. You know all about Lucy and through the mother's DNA tracking every single human being back to the Olduvai Gorge area in Tanzania and Kenya, where we can all truly say every one of us is one family and we are all Africans in descent. So it is a fascinating field of study.

Now that the moratorium is lifted and we have one of the largest number of people involved in a crash behind this—and I notice that the later gunship AC-130 you said 14, and that is what the crews are now. That is what we lost off the coast of Amman. Did that come to you, by the way, for identification, of anybody that was lost in the AC-130 off the coast of Kuwait?

Colonel WEBB. No, it did not.

Mr. DORNAN. Probably because there was a recent crash and two or three bodies were lost in the flushing action of the gulf out to

the Indian Ocean, but the others were easily identified because the plane had crashed in shallow water. But in any future aircraft other than this other AC-130 where you have 10 to 14 people going down on one aircraft, will you have the time, if somebody comes up with a remote crash site, very easy, say, for an F-105 or an F-101 or a Navy aircraft—if you come up with any two-seat aircraft like a Navy or an Air Force F-4, and you have material not much more substantial than what you had in Case 1600, will you be able now to do DNA?

Colonel WEBB. Yes.

Mr. DORNAN. You will?

Colonel WEBB. Again, as we did with 1600, even though the moratorium was in existence at the time we made our recommendation, it did not preclude us from considering the use of DNA in this case. Again, because of the condition of the remains, it was the scientists' belief that we would not probably obtain any usable DNA that could be sequenced. Again, that is a judgment call.

Mr. DORNAN. Right. I do not have any more questions, gentlemen. I look forward, who knows when, to come out and visit the lab again. I think this is a confidence-building thing for the families to hear you try and explain this. I have learned something about the Armed Forces Identification Review Board. I did not know there was no training involved or no special background. The Navy has more or less an inherited position. I know you give it your best shot, but probably being—let me ask just one quick round robin.

Colonel Kenny, when did you come on active duty?

Colonel KENNEY. In October 1972, sir.

Mr. DORNAN. That is just 3 months before the Paris peace accords were signed.

Captain Grover.

Captain GROVER. Sir, I was commissioned in June 1972.

Mr. DORNAN. June 1972, the same year. Colonel.

Colonel KELLY. I was commissioned in January 1971, sir.

Mr. DORNAN. 1971. You could have feasibly gone to Southeast Asia, but you were a second lieutenant by the time the Paris peace accords—

Colonel KELLY. Yes, sir.

Mr. DORNAN. Well, it was 18 months. In those days, you were a brandnew first lieutenant.

Colonel KELLY. Yes, sir.

Mr. DORNAN. So there is no special training to handle some of these jobs, but you can see sitting here today that the family members build up a great body of knowledge on this, along with a great world of hurt, and we are just trying to set up a system that works.

And when you hear rumors floating around in the Pentagon that Bob Dole—and this is a pretty good list I am about to give you—Bob Dole, and chairman of Armed Services, Strom Thurmond, and the chairman of the Military Personnel Committee, Dan Coats, over there, and Floyd Spence, who sits at the desk most of the time, and myself, Bob Dornan, chairman of the Military Personnel on this side, and Ben Gilman, chairman of the International Relations Committee over here, and the majority of the POW's, including all of those most severely tortured from the holding area called

Alcatraz, the 11 that were most courageous in defying the enemy not to play basketball or volleyball or decorate fake Christmas trees, including Sam Johnson who sat down at the end here earlier, including most of the family people, they all want what we are tried to write—and some of the family members are nodding their heads now—and put in the Defense authorization bill that its future is uncertain, as is the defense appropriations bill, its future is uncertain.

We do not know what vetoes are coming down the line, but we are trying to get an act written here, a law to help us—and God forbid any future conflict, and I keep coming back to the cynical, but accurate prediction of Plato that only the dead have seen the end of war—that in future conflicts where an American goes missing in action, there is a structured process from a rescue, as in Scott O'Grady's case, to years later at the top of the Owen Stanley Mountains in New Guinea a half a century later an aircraft found, that there is a process that helps the families have a moment where, if they are not Navy, which is lost at sea, they have some little place on the planet, some little plot like the one I visited yesterday up near Carlisle, for them to repair to.

In this magazine—and I will close on this—to show you how important this is, if I can read it. Here is this beautiful Carmen Gordon who met Gary Ivan Gordon when she was 13 and he was 17 in this tiny Lincoln mill town of Maine. She is the one who wrote the letter to the editor in Newsweek that I could not even read on the House floor, it was so moving, about how he would pull up in his red pickup truck, and little Ian and Brittany would run out to him, "Daddy's home, daddy's home," how quiet he was about his work, how he told her he had two families, the Delta Force and his own family.

And she visited his grave. I held up the picture earlier of Michael Durant visiting the grave. It shows her here looking at the American flags, and there is the American Legion crest and VFW on the other side in this beautiful eagle, and it had a little tag on it that said, "May you soar on eagle's wings," it says under his name Gary Ivan Gordon, master sergeant, U.S. Army, Persian Gulf.

This story in this little book called "Yankee" from New England, Carmen writes that, "When Gary became a Delta Force commander in the late 1980's, he signed into a unit so secret that the Army still doesn't acknowledge its existence." It has got to come to an end sooner here.

"By all accounts, Delta comprises the Army's elite. Ninety percent of the candidates among the military's best physical and intellectual recruits are washed out during a month-long screening. The force trains in a \$75 million compound in Fort Bragg, full-size aircraft cabins with mannequin passengers for practice over and over the rescues." And it tells how, when he was 11 years old—and they even have a photograph I was showing the staff here of the library card in Lincoln, ME, where he drew out a book on Medal of Honor winners when he was 11 years of age, and here is his signature.

So the story closes that, "Gary would have retired from the Army in 1998," 20 years. So he joined in 1978. "He and Carmen had talked about moving back to Maine, possibly to Freeport, L.L. Bean country, which they had visited one Christmas on their way North.

Gary missed the autumn, the cold weather, the snow. He longed for the smell of home-baked goods and the romance of sitting by the fire, said Carmen. But except for his parents Betty and Dwayne, there was little reason for him to go back to Lincoln. Over the years, he had kept in touch with fewer and fewer of his old friends. Folks in Lincoln knew Gary, but they never really understood him. People there have the values and traditions they grew up with, and that is enough. Gary wanted adventure."

"She said when they were leaving Lincoln last October"—this is last year 1994—"for the first anniversary of Gary's death, on the way back to the airport after a week-long stay in which they had visited Gary's grave several times, Ian turned to his mother and said I need to say good-bye to daddy. She glanced at her son, who looks much like his father, she turned the car around. In the back of the cemetery bordered on one side by the mill and by this street called Broadway on the other, she parked and Ian got out. This close, the mill roars or is differentiated into a series of squeaks and clangs and whirs. Ian plucked a flower, walked toward his dad's marble military headstone, so unlike the neighboring slabs of gray and pink granite. When I pulled up my car, my son says there it is right there, the only Arlington type stone."

"Images of the previous year ran through Carmen's head. Gary's final phone call from Somalia, in which he had seemed uncharacteristically distraught." They had had seven raids under the poor leadership of Morton Halperin and, Lord rest his soul, Les Aspin. He paid for it with his job as Secretary of Defense. "He asked repeatedly about the children. All the TV shots of the skirmishes in Mogadishu, the black ribbons hanging from the trees in Lincoln. Carmen says for so long I had felt Gary needed me and I was not there for him, to hold him, to tell him I loved him."

"With steam from the mill drifting overhead and the sour sulfur smell mixing with that of dry leaves, Ian bent over Gary's grave and rubbed his finger around a Delta Force coin imbedded in the stone. In that moment, things shifted for Carmen. I thought, Gary is OK now, he's home."

That is all we are trying to do here, all of us, is get people home. If we can cut down those numbers and come up with a good scrub, a good comprehensive review, general, and release several more hundred names while we still have Defense bills under authorization; yes, my agenda is very open.

I do not want normalization with Vietnam, any more money to go to them. I want to freeze the offers of the July 12 level. I do not want anything. I want to hold that leverage until we get this unilateral information that Dick Childress so carefully spelled out they could give us, either remains or, when we hold up a photograph of a Ron Dodge in captivity, they give us the remains back, as they did in Ron Dodge's case, give us the information from the archives or give us the remains, one or the other. And there are several hundred cases still to be solved.

So we will have these hearings again soon and press on without demeaning anybody's integrity, honor or dignity of all you people who work so hard for your country. I look forward to seeing you out there again some day, Johnnie. Thanks for all your good work.

The subcommittee is adjourned.

[Whereupon, at 4:22 p.m., the subcommittee was adjourned.]
[The following material was received for the record:]

March 29, 1996

The Honorable Robert K. Dornan, MC
Chairman,
Military Personnel Subcommittee,
Committee on National Security,
U. S. House of Representatives,
Washington, D. C. 20515-6035

Dear Mr. Dornan:

I request an investigation into the case of my husband, Captain Harley H. Hall, USN, due to new and pertinent evidence.

First, I would like to direct you to Doctor N. Powers, DDS, final forensic report of his examination of Captain Hall's teeth.

Secondly, there have been unlawful misrepresentations by forensic reports notably Dr. Lavine. These reports were written by personnel who are unrecognized and unauthorized as Board certified forensic odontologist. Furthermore, they are not recognized or authorized under AOA or ADA.

AAFS can not and is not authorized to Board as Diplomate anyone in odontology. It can; however, make allowances for fellows or members and does recognize other sanctioned boarding.

I request that the Attorney General be notified due to misrepresentations and that ICC and RICO have been violated.

Additionally, I request that all CILHI reports be reviewed for inconsistencies and misrepresentations by their experts and others. CILHI had the responsibility to verify credentials of its' consultants. CILHI was negligent in this regard and should be made accountable.

Sincerely yours,

Mary Louise Hall

Mary Louise Hall
Mrs. Harley H. Hall

*should be
AMA*

American Medical Assoc.

DR. F. NICHOLAS POWERS, JR.
5455 Roanoke Road
Rockford, IL 61107

July 7, 1995

Mrs. Mary Louise Hall
4004 Southview Drive
San Diego, CA 92117

**Re: Final Report (subsequent to preliminary report dated
March 31, 1995) of three teeth (numbers 5, 6, and 9) as
those of Captain Harley H. Hall, USN.**

Dear Mrs. Hall:

At your request, I conducted an examination of three teeth identified as those belonging to your husband, Capt. Harley H. Hall. As you know, I concurred with other experts that the teeth were indeed those of Capt. Hall.

The three teeth and bone fragments were made available to me, with escort, from Travis AFB, California. The escort, Capt. Robert M. Miller, USN, serial #153-38-7194, and coffin were transported to Anderson & Long funeral home, Rockford, Illinois. Capt. Miller, myself with teeth and bone fragments then went to the Winnebago County Coroner's Office for a complete clinical examination, x-rays and photographs of the teeth.

At no time was Capt. Miller absent during the above mentioned procedures, after which I, with escort, returned the teeth and bone fragments to Mr. Steve Anderson (mortician) and witnessed the placement and seal of the teeth and bone fragments in the coffin, which I was told would be escorted back to Travis AFB, California. These procedures were accomplished on 29 June '95 between 0855 hours until 1240 hours (local time).

Radiographic Examination:

In total, seven x-rays were taken of all three teeth and compared with the five items mentioned in my preliminary report of 31 Mar '95 under the topic entitled "Radiographic Examination".

Clinical Examination:

The clinical examination of the teeth was extremely helpful. I shall present the observations by tooth # and name to enhance understanding. The military dental records you provided to me commence 9 Sept '57 to last dated 3 Jan '73.

Tooth #5 (maxillary 1st right bicuspid):

- dilacerated facial root (approximately 17° off vertical plane, or 53° off horizontal plane). This root observation differs from my preliminary report which was based upon x-rays and photographs available at that time;
- a horizontal fracture of the palatal cusp supragingivally;
- a vertigaloblique fracture of the buccal portion of the buccaloapical aspect of the root (again, differs from my preliminary report due to x-rays and photographs made available at that time).

Tooth #6 (maxillary right cuspid or K-9)

- a vertical fracture of the facial enamel on the more mesiofacial aspect (approximately 8mm x 2mm), without notation in the provided dental records;

Tooth #9 (maxillary left central incisor)

- conforms to pre-existing photographs, dental records, and x-rays.

Discussion:

The points I expressed in my preliminary report, "Discussion Section", are still those which are very pertinent to this final report with one change and two additions.

The one change to my preliminary report was listed as number 1 of the unexplainable observations found in the "Discussion Section". The possible fractured root tip of the facial root does not exist, rather a fracture of the palatal root tip (first point under "Clinical Examination" this report) does exist. This change is due to the clinical exam I accomplished.

The additions, primarily tooth #5, are extremely important. The fracture of the palatal cusp falls within the possible scenarios discussed in my preliminary report. The

Mrs. Mary Louise Hall

- 3 -

July 7, 1995

dilacerated facial root is an entirely different matter. There is no natural phenomenon that tooth #5 could have been naturally exfoliated with one exception - Captain Hall lived far beyond the incident thereby allowing severe periodontitis to occur and the bone resorption to become so severe that tooth #5 (#'s 6 & 9 possibly as well) would become so loose, that exfoliation could very easily have occurred. It must be remembered that the x-rays, dated 22 Mar '72, provided to me for my preliminary report *did not* show this type of periodontal involvement. Also, the fractured palatal cusp could be explained by mechanical extraction.

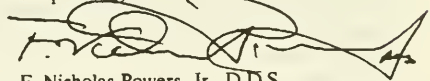
Once again the possibilities leave me with no absolute explanation. I now see that there are two teeth, #'s 5 and 6 that show signs which are consistent with mechanical extraction at some point (tooth #9 comparatively, is an easy tooth to extract; therefore, not seeing external signs of a possible forcep is not alarming).

I find it extremely interesting that: 1) DNA comparison has not been approached and 2) the x-rays and photographs initially provided to me of the disarticulated teeth show neither the dilaceration of the facial root nor the fractured palatal cusp of tooth #5.

Conclusion:

I still concur that the teeth (#'s 5, 6 and 9) are those of Capt. Hall. The three teeth are as they appear, 3 idiopathically disarticulated exfoliated maxillary teeth. The artifacts present on the teeth make acquisition of the teeth very suspicious to me. The bone fragments should be referred to the pertinent experts, forensic physical anthropology and DNA.

Respectfully,

A handwritten signature in dark ink, appearing to read 'F. Nicholas Powers, Jr.', with a stylized flourish at the end.

F. Nicholas Powers, Jr., D.D.S.
Forensic Odontologist

FNP:jcz

The American Legion

★ WASHINGTON OFFICE ★ 1808 "K" STREET, N. W. ★ WASHINGTON, D. C. 20008 ★
(202) 881-2711 ★



OFFICE OF THE
EXECUTIVE DIRECTOR

November 14, 1995

Honorable Robert K. Dornan, Chairman
Subcommittee on Military Personnel
Committee on National Security
US House of Representatives
Washington, DC 20515-6035

Dear Chairman Dornan:

The American Legion deeply appreciates your action in scheduling today's hearing relating to United States and Vietnamese government knowledge and accountability for US Prisoners of War and Missing in Action in Southeast Asia. The inaction on the part of the Clinton Administration and its failure to address this issue - a matter of highest national priority - in an honest and forthright manner, is totally reprehensible.

The latest example is the paper released yesterday, purportedly by the Department of Defense, entitled "A Zero-Based Comprehensive Review of Cases Involving Unaccounted for Americans in Southeast Asia." This should be the final report emanating from the requirements of the Fiscal Year 1995 National Defense Authorization Act (Public Law 103-337, Section 1034). However, in our opinion, it is at best a summary document prepared with a political spin to justify the recent actions of the Administration. It is not a comprehensive review of the unresolved cases in Southeast Asia.

This report may have commenced to be such a review when the cases were assessed by the analysts responsible for carrying out this process. However, since the report has been dissected, disinfected and doctored by political operatives from DoD, State Department, the NSC and possibly VA, it is now nothing more than a political statement, pure and simple. It dilutes the original priorities set forth by the President in July 1993, downplays the importance of unilateral actions by the Vietnamese government, unquestioningly accepts arbitrary decisions to defer or close certain cases, and provides cover in case the Indochinese governments decide not to provide additional information on any of the unresolved cases of missing Americans.

With respect to unilateral actions by Vietnam, the report is but one example of obfuscation on the part of the US government on this issue. During the final plenary session of the visit by the Presidential Delegation in July 1994, the Deputy Foreign Minister requested a

breakdown separating those cases to be pursued by the Vietnamese unilaterally and those better handled jointly. Subsequent to our return from that trip this subject has been raised numerous times, both in written communications and during meetings, by The American Legion and the National League of Families. It is unbelievable that such a request on the part of the Vietnamese leadership would not be immediately addressed, if those in the United States government responsible for obtaining the fullest possible accounting of our missing American servicemen are truly trying to do so. However, as of this date, the Vietnamese request for guidance has been ignored.

The Administration continues to praise the "cooperation" the Vietnamese are providing the Joint Task Force - Full Accounting in helping resolve the POW/MIA issue. The cooperation Vietnam is providing is that for which they are being paid substantial sums of money by the United States. This consists of the joint US - Vietnamese excavation of crash sites. The cooperation that is needed, as previously stated, is unilateral Vietnamese recovery and repatriation of remains, and unilateral actions on collecting and turning over documents, particularly those which would be helpful in resolving cases of missing American Servicemen.

Mr. Chairman, the exact role of Joint Task Force - Full Accounting needs to be defined. The American Legion basically has no quarrel with the job that is being done by the young military personnel who are assigned to the JTF-FA teams for the purpose of excavating crash sites. It is obviously not easy work, and many times the weather and terrain present formidable obstacles. I have personally observed that their attitudes are positive and they carry out their assignments as best they know how. Unfortunately, they know little about the country and its cultures, languages, government; or the manner in which the war was fought in Indochina.

However, those in senior leadership positions have taken on a public affairs role, frequently dealing with the media, and, for the lack of a better term, lobbying Members of Congress and others with glowing reports of Vietnam's cooperation on the POW/MIA issue. Word filtered back to us, prior to last year's vote on Senate resolutions in favor of and opposed to the lifting of the trade embargo, that JTF-FA personnel were advising members of Congressional Delegations that the Vietnamese were being cooperative with them, but if the embargo was not lifted they feared the cooperation would not continue.

The cooperation the Vietnamese is providing JTF-FA is that for which they are being handsomely compensated, as previously noted. It is highly unlikely that the leadership in Hanoi would discontinue providing logistical assistance to JTF-FA, knowing that the vast sums of money they are receiving would dry-up. Unfortunately, most visiting delegations take the reports of "cooperation" at face value, base their judgments on the issue - and make public pronouncements thereon - based on incomplete information. It is apparent that any time the Vietnamese decide to turn over any significant - or seemingly significant documents, pictures, or other "finds" - they are ceremoniously given to a high level delegation rather than a JTF-FA team.

Unfortunately, JTF-FA seems to have become politicized, and given a free reign in dealing with the media, which is unusual, given the fact it is a tactical military unit.



These are but a few examples of the problems those of us who take the fullest possible accounting of our missing American servicemen seriously are encountering.

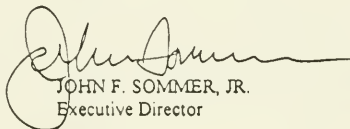
The American Legion is also concerned about those young men and women currently serving in the armed forces, especially as we see the Administration moving toward placing US ground troops in Bosnia. The members of our military services are offered no protection whatsoever if captured while participating in peacekeeping or humanitarian missions. The US government must seek appropriate changes to international laws and regulations relating to prisoners of war and missing in action.

Fortunately, as a result of persistent action on the part of The American Legion and others, there has been some progress in this area. It is imperative that our government expeditiously ratify the "Convention on the Safety of United Nations and Associated Personnel." This proposed treaty, negotiated under US leadership at the United Nations last year, would go a long way toward providing essential prisoner of war protections, similar to those provided by the Geneva Conventions, for American service members captured during United Nations mandated operations or when they are serving in association with such operations. It is important that this proposal be implemented as soon as humanly possible.

Additionally, an international agreement should be negotiated to provide the same protections to American service members during peacekeeping or humanitarian operations that are not sanctioned by the United Nations. The American Legion initiated this effort through discussion with the President and communications with other high level Administration officials commencing in February 1994, and will continue to press for further progress.

Mr. Chairman, The American Legion commends you for your interest in holding today's hearing on this vital issue. We urge you to follow up on the findings of this hearing, as the members of the armed forces, veterans, and particularly the families of our missing servicemen deserve no less.

Sincerely,



JOHN F. SOMMER, JR.
Executive Director



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